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# FEDERAL REGISTER

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*Washington, Thursday, May 23, 1946*

## *The President*

### EXECUTIVE ORDER 9728

#### AUTHORIZING THE SECRETARY OF THE INTERIOR TO TAKE POSSESSION OF AND TO OPERATE CERTAIN COAL MINES

WHEREAS after investigation I find and proclaim that there are interruptions or threatened interruptions in the operation of the mines producing bituminous coal as a result of existing or threatened strikes and other labor disturbances; that the coal produced by such mines is required for the war effort and is indispensable for the continued operation of the national economy during the transition from war to peace; that the war effort will be unduly impeded or delayed by such interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure the operation of such mines in the interest of the war effort and to preserve the national economic structure in the present emergency:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander-in-Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Interior is authorized and directed to take possession of any and all such mines, and, to the extent that he may deem necessary, of any real or personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines; to operate or to arrange for the operation of such mines in such manner as he may deem necessary in the interest of the war effort; and to do all things necessary for, or incidental to, the production, sale, and distribution of the coal produced, prepared, or handled by the said mines.

2. The Secretary of the Interior shall operate the said mines in accordance with such terms and conditions of employment

as are in effect at the time possession thereof is taken, subject to the provisions of Section 5 of the War Labor Disputes Act.

3. Subject to the national wage and price stabilization policies as determined by the National Wage Stabilization Board and the Economic Stabilization Director, the Secretary of the Interior is authorized, pursuant to the provisions of Section 5 of the War Labor Disputes Act, following such negotiations as he may deem necessary with the duly constituted representatives of the employees, to apply to the National Wage Stabilization Board for appropriate changes in the terms and conditions of employment for the period of the operation of the mines by the Government.

4. In carrying out this order, the Secretary of the Interior shall act through or with the aid of such public or private instrumentalities or persons as he may designate. All Federal agencies are directed to cooperate with the Secretary of the Interior to the fullest extent possible in carrying out the purposes of this order.

5. The Secretary of the Interior shall make employment available and provide protection to all employees working at such mines and to all persons seeking employment so far as they may be needed; and upon the request of the Secretary of the Interior, the Secretary of War shall take such action, if any, as he may deem necessary or desirable to provide protection to all such persons and mines.

6. The Secretary of the Interior shall permit the managements of the mines taken under the provisions of this order to continue with their managerial functions to the maximum degree possible consistent with the aims of this order.

7. The Secretary of the Interior is authorized and directed to maintain customary working conditions in the mines and customary procedure for the adjustment of workers' grievances. He shall recognize the right of the workers to continue their membership in any labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective

(Continued on p. 5595)

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<sup>1</sup> Appears under U. S. Employees' Compensation Commission, in Notices section.

bargaining or other mutual aid or protection, provided that such concerted activities do not interfere with the operations of the mines.

8. Possession of any mine or mines taken under this order shall be terminated by the Secretary of the Interior as soon as practicable, but in no event more than sixty days after the restoration of the productive efficiency of any such mine or mines prevailing prior to the taking of possession thereof.

HARRY S. TRUMAN

THE WHITE HOUSE,  
May 21, 1946.

[F. R. Doc. 46-8557; Filed, May 21, 1946;  
3:56 p. m.]

## Regulations

## TITLE 6—AGRICULTURAL CREDIT

## Chapter I—Farm Credit Administration

PART 10—FEDERAL LAND BANKS,  
GENERALLY

## INSURANCE REQUIREMENTS

Section 10.188 of Part 10, Chapter I, Title 6, Code of Federal Regulations is hereby amended to read as follows:

§ 10.188 *Losses to be made payable to mortgagee; exception.* Insurance shall be made payable to the bank and Corporation, as mortgagees, as their interests may appear at time of loss, and shall afford the bank and Corporation the same protection they would have under the New York standard mortgage clause, but the bank may, in its discretion, permit individual losses of \$100 or under to be paid directly to the mortgagor for use in the prompt reconstruction of the buildings destroyed. The provisions of §§ 10.189 to 10.197, inclusive, shall not be applicable to losses of \$100 or under which are paid directly to the mortgagor, with the permission of the bank, for use in reconstruction.

(Sec. 12 "Ninth", 39 Stat. 370, as amended; 12 U.S.C. 771 "Ninth")

[SEAL] J. R. ISLEIB,  
Acting Land Bank Commissioner.

[F. R. Doc. 46-8577; Filed, May 22, 1946;  
11:05 a. m.]

## TITLE 14—CIVIL AVIATION

## Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 42-1]

## PART 42—NONSCHEDULED AIR CARRIER CERTIFICATION AND OPERATION RULES

## ISSUANCE OF AIR CARRIER OPERATING CERTIFICATES AND WEATHER MINIMUMS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 17th day of May 1946.

Effective August 1, 1946, Part 42 of the Civil Air Regulations is amended as follows:

1. By amending § 42.01 to read as follows:

§ 42.01 *Issuance.* An air carrier operating certificate describing the non-scheduled operations authorized and prescribing such operating specifications and limitations as may be reasonably required in the interest of safety, will be issued by the Administrator to a properly qualified citizen of the United States who demonstrates that he is capable of conducting the proposed operations in accordance with the applicable requirements hereinafter specified. Application for a certificate, or application for amendment thereof, shall be made in the manner and contain the information prescribed by the Administrator.

2. By amending § 42.34 *Weather minimums*—(a) *Take-off*, as follows:

By deleting the words "one-half mile" and inserting in lieu thereof the words "one mile."

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 46-8564; Filed, May 22, 1946;  
10:55 a. m.]

[Civil Air Regs., Amdt. 61-7]

## PART 61—SCHEDULED AIR CARRIER RULES

## ADMISSION TO PILOTS' COMPARTMENT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 17th day of May 1946.

Effective May 17, 1946, § 61.7803 of the Civil Air Regulations is amended to read as follows:

§ 61.7803 *Pilots' compartment.* (a) No person except a member of the operating crew, an air carrier inspector of the Administrator of Civil Aeronautics, or a duly authorized representative of the Civil Aeronautics Board shall be admitted to the pilots' compartment.

(d) Any air carrier inspector of the Administrator of Civil Aeronautics or a duly authorized representative of the Civil Aeronautics Board shall be admitted to the pilots' compartment of an air carrier aircraft at any time while in the performance of his official duty.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 46-8565; Filed, May 22, 1946;  
10:55 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket No. 4537]

## PART 3—DIGEST OF CEASE AND DESIST ORDERS

## BOCKENSTETTE'S BLUE RIBBON FARMS

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government endorsement:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Reputation, success or standing:* § 3.6 (a) 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (w) *Advertising falsely or misleadingly—Refunds, repairs and replacements:* § 3.72 (k) 5) *Offering deceptive inducements to purchase—Repair or replacement guarantee.* In connection with offer, etc., of chicks or chickens, disseminating, etc., any advertisements by means of the United States mails or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' product, which advertisements represent, directly or by implication, (a) that respondents are R. O. P. poultry breeders, or that they operate a poultry plant under the supervision of an official from the agency supervising U. S. Record of Performance work; (b) that the average egg production of hens grown from chicks sold by respondents exceeds the average egg production from an equal number of hens generally by 94 eggs each, per annum, or by any other appreciable amount; (c) that hens in respondents' flocks lay an egg daily; (d) that purchasers of respondents' products are enabled to produce eggs at from one-third to one-half the cost of producing them with birds of ordinary breeding; or, (e) that respondents protect purchasers of their chicks against losses, up to four weeks; prohibited, subject to the provision, however, that the order shall not be construed as prohibiting representations that respondents' baby chicks are R. O. P. sired when such chicks have actually been sired by males which have been officially banded with U. S. R. O. P. sealed and numbered official leg bands and duly registered as such; or representations that the flocks supplying the eggs from which the baby chicks are hatched are headed by R. O. P. males when the flocks concerning which such representations are made are segregated and headed by such officially banded R. O. P. males: *Provided, however,* That such representations are not made in such a manner as to represent directly, or by implication, that the baby chicks so offered for sale are U. S. R. O. P. chicks, or that the respondents are participants in the National Poultry Improvement Plan. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Bockenstette's Blue Ribbon Farms, Docket 4537, March 27, 1946]

At a regular session of the Federal Trade Commission, held at its office in



the City of Washington, D. C., on the 27th day of March, A. D. 1946.

*In the Matter of Blue Ribbon Hatcheries Corporation, a Corporation, Trading as Bockenstette's Blue Ribbon Farms*

This proceeding coming on for further hearing before the Federal Trade Commission, and it appearing that on May 11, 1942, the Commission made its findings as to the facts herein and concluded therefrom that the substituted respondents J. A. Bockenstette and Rose M. Bockenstette, trading as Bockenstette's Blue Ribbon Farms, had violated the provisions of the Federal Trade Commission Act, and on May 11, 1942, issued and subsequently served its order to cease and desist upon said substituted respondents, J. A. Bockenstette and Rose M. Bockenstette.

Thereafter, on July 10, 1942, respondents filed their petition to review and set aside the order to cease and desist in the United States Circuit Court of Appeals for the Tenth Circuit. On March 30, 1943, said Court entered its final decree affirming and enforcing the said order to cease and desist.

Thereafter, on October 25, 1945, the Commission and respondents filed with said Court a joint motion to modify said decree in certain particulars. On November 7, 1945, the Court entered its decree granting said motion and commanding respondents to comply with said modified decree.

The time within which a petition for a writ of certiorari might have been filed in the Supreme Court of the United States by the respondents having expired on February 7, 1946, without such petition having been filed, the said Court's decree of November 7, 1945, thereupon became final on February 7, 1946.

In conformity with such final decree of the United States Circuit Court of Appeals for the Tenth Circuit dated November 7, 1945, and pursuant to the provisions of the Federal Trade Commission Act, the Commission hereby issues this its modified order to cease and desist.

*It is ordered*, That the substituted respondents, J. A. Bockenstette and Rose M. Bockenstette, trading as Bockenstette's Blue Ribbon Farms; or trading under any other name or designation, their representatives, agents and employees, jointly or severally, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of chicks or chickens, do forthwith cease and desist from directly or indirectly:

(1) Disseminating or causing to be disseminated any advertisement, by means of the United States Mails, or by any other means, in commerce as "Commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication:

(a) That respondents are R. O. P. poultry breeders, or that they operate a poultry plant under the supervision of an official from the agency supervising U. S. Record of Performance work;

(b) That the average egg production of hens grown from chicks sold by respondents exceeds the average egg pro-

duction from an equal number of hens generally, by 94 eggs each, per annum, or by any other appreciable amount;

(c) That hens in respondents' flocks lay an egg daily;

(d) That purchasers of respondents' products are enabled to produce eggs at from one-third to one-half the cost of producing them with birds of ordinary breeding;

(e) That respondents protect purchasers of their chicks against losses, up to four weeks.

(2) Disseminating or causing to be disseminated any advertisement by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' product, which advertisement contains any of the representations prohibited in paragraph (1) hereof.

*It is further ordered* That this order shall not be construed as prohibiting representations that respondents' baby chicks are R. O. P. sired when such chicks have actually been sired by males which have been officially banded with U. S. R. O. P. sealed and numbered official leg bands and duly registered as such; or representations that the flocks supplying the eggs from which the baby chicks are hatched are headed by R. O. P. males when the flocks concerning which such representations are made are segregated and headed by such officially banded R. O. P. males: *Provided, however*, That such representations are not made in such a manner as to represent directly, or by implication, that the baby chicks so offered for sale are U. S. R. O. P. chicks, or that the respondents are participants in the National Poultry Improvement Plan.

*It is further ordered*, That the substituted respondents, J. A. Bockenstette and Rose M. Bockenstette, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 46-8632; Filed, May 22, 1946;  
11:28 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VIII—Office of International Trade, Department of Commerce

#### Subchapter B—Export Control

[Amdt. 190]

#### PART 801—GENERAL REGULATIONS

##### PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended as follows:

The list of commodities set forth in paragraph (b) is amended in the following particulars:

1. The qualifying footnote reference, meaning "Requires individual license for

export to all areas except the other American Republics" is hereby deleted with regard to the following commodities:

Dept. of Com. Sched. B No.	Commodity
	Milk and cream:
006200	Evaporated (unsweetened).
006300	Dried whole milk (include partially skimmed).
006400	Dried skimmed milk.
	Cheese, processed, blended and spreads:
006755	Processed American cheddar.
006758	Other cheese, processed, blended and spreads.
	Cheese, whether or not in original loaves, except any cheese processed other than by division into pieces:
006795	American cheddar.
006798	Other.

2. The following commodities are hereby added to the list of commodities:

Dept. of Com. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E
630998	Aluminum prefabricated houses (aluminum chief value.)	-----	100	25
835900	Potassium chlorate and mixtures.	Lbs...	25	25
835900	Potassium perchlorate and mixtures.	Lbs...	25	25

3. The following commodities are hereby removed from the list of commodities:

Dept. of Com. Sched. B No.	Commodity
	Fruits, fresh or frozen:
131000	Apples in baskets.
131100	Apples in boxes.
131200	Apples in barrels.
502700	Kerosene (include burning oils, mineral colza, petrolite, and signal oil).

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard an exporting carrier or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general export license provisions.

This amendment shall become effective immediately except that, with respect to commodities removed from general license it shall become effective on May 27, 1946.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: May 21, 1946.

JOHN C. BORTON,  
Director,

Requirements and Supply Branch.

[F. R. Doc. 46-8576; Filed, May 22, 1946;  
11:02 a. m.]



## Chapter IX—Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

[Suspension Order S-938]

## PART 1010—SUSPENSION ORDERS

## MOTHER CRAFT CO.

Mother Craft Company, a partnership consisting of David T. Swidler, his wife, Lillian, and two minor sons, Robert and Jay Swidler, and located at 147 North 12th Street, Philadelphia, Pennsylvania, is engaged in the manufacture of maternity dresses. On February 4, 1946, a temporary suspension order was issued directing the company to cancel outstanding CC rated orders for rayon and cotton fabrics in excess of those authorized for the fourth quarter of 1945, and to place no CC rated orders for such fabrics for the first quarter of 1946. During the fourth quarter of 1945, Mother Craft Company placed orders bearing CC ratings pursuant to Form WPB-3732 under Case No. 72233 for 100,000 yards of cotton fabric, although it was authorized under this case number to place orders bearing these ratings solely for 52,000 yards of rayon fabric. During the fourth quarter of 1945, and the first quarter of 1946, the partnership placed orders bearing CC ratings using Case No. 11357, purportedly authorized on WPB Form 3732 for 306,000 yards of cotton fabric and accepted delivery of 69,000 yards, when in fact it was not assigned any such case number nor authorized to place orders bearing these ratings for cotton fabrics. The placing of these unauthorized preference ratings constituted wilful violations of Priorities Regulation No. 3. In addition, the company failed to keep and maintain accurate and complete records of the details of all of its transactions to which the rules and regulations of the War Production Board or the Civilian Production Administration relate, which failure constituted a violation of Priorities Regulation No. 1. These violations have interfered with the controls established by the War Production Board and the Civilian Production Administration for the distribution of critical materials. In view of the foregoing, it is hereby ordered that:

## § 1010.938 Suspension Order No. S-938.

(a) During the second and third quarters of 1946, David T. Swidler, Lillian Swidler, Robert Swidler and Jay Swidler shall not apply or extend any ratings to obtain cotton or rayon fabrics, nor shall any authorization be granted to them to apply or extend ratings to get such fabrics during these quarters.

(b) David T. Swidler, Lillian Swidler, Robert Swidler and Jay Swidler shall not use any cotton fabrics in their possession obtained by the unauthorized use of preference ratings during the fourth quarter of 1945 and the first quarter of

1946, except to dispose of them in accordance with the rules, regulations and orders of the Civilian Production Administration.

(c) Nothing contained in this order shall be deemed to relieve David T. Swidler, Lillian Swidler, Robert Swidler and Jay Swidler from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(d) David T. Swidler, Lillian Swidler, Robert Swidler and Jay Swidler shall refer to this order in any application or appeal which they may file with the Civilian Production Administration during the second and third quarters of 1946 dealing with their use of textiles.

(e) The restrictions and provisions contained herein shall apply to David T. Swidler, Lillian Swidler, Robert Swidler and Jay Swidler, doing business as Mother Craft Company or under any other names, their successors or assigns, or persons acting in their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 21st day of May 1946.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 46-8563; Filed, May 21, 1946;  
4:39 p. m.]

## Chapter XI—Office of Price Administration

[RMPR 289, Amdt. 54]

## DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 21 of Revised Maximum Price Regulation 289 is amended in the following respects:

1. Table A in paragraph (a) (1) (i) is amended to read as follows:

TABLE A

(a) To the United States Government or any agency thereof:

If delivered in—	Carton of 48 14½-oz. cans (per carton)	Carton of 48 13-oz. cans (per carton)	Carton of 48 6-oz. cans (per carton)	Carton of 96 6-oz. cans (per carton)	Carton of 6 8-lb. cans (per carton)
Zone 1.....	\$4.25	\$4.00	\$2.20	\$4.25	\$4.25
Zone 2.....	4.35	4.10	2.25	4.35	4.35
Zone 3.....	4.35	4.10	2.25	4.35	4.35

\* 10 F.R. 2252, 2658, 2928, 3554, 3948, 3950, 5772, 6232, 7340, 7852, 9084, 11809, 12651, 12957, 12989, 13216, 13592, 14737; 11 F.R. 175, 244, 712, 840, 1405, 1670, 2088, 2043, 2516, 2826, 3396, 3596, 4585.

(b) To any person other than the United States Government or any agency thereof:

If delivered in—	Carton of 48 14½-oz. cans (per carton)	Carton of 48 13-oz. cans (per carton)	Carton of 48 6-oz. cans (per carton)	Carton of 96 6-oz. cans (per carton)	Carton of 6 8-lb. cans (per carton)
Zone 1.....	\$4.35	\$4.10	\$2.30	\$4.35	\$4.35
Zone 2.....	4.45	4.20	2.35	4.45	4.45
Zone 3.....	4.45	4.20	2.35	4.45	4.45

For cans of 14-ounce capacity the maximum price per carton of 48 shall be 8 cents less than the appropriate Table A prices for 14½-ounce cans; and for cans of 13½-ounce capacity the maximum price per carton of 48 shall be 16 cents less than the appropriate Table A prices for 14½-ounce cans.

2. Table B in paragraph (a) (1) (ii) is amended to read as follows:

TABLE B

(a) To the United States Government or any agency thereof:

If delivered in—	Carton of 48 14½-oz. cans (per carton)	Carton of 48 6-oz. cans (per carton)	Carton of 96 6-oz. cans (per carton)	Carton of 6 8-lb. cans (per carton)
Zone 1.....	\$4.75	\$2.45	\$4.75	\$4.75
Zone 2.....	4.85	2.50	4.85	4.85
Zone 3.....	4.85	2.50	4.85	4.85

(b) To any person other than the United States Government or any agency thereof:

If delivered in—	Carton of 48 14½-oz. cans (per carton)	Carton of 48 6-oz. cans (per carton)	Carton of 96 6-oz. cans (per carton)	Carton of 6 8-lb. cans (per carton)
Zone 1.....	\$4.85	\$2.55	\$4.85	\$4.85
Zone 2.....	4.95	2.60	4.95	4.95
Zone 3.....	4.95	2.60	4.95	4.95

3. Paragraphs (b) and (c) are redesignated (c) and (d), respectively, and a new paragraph (b) is added to read as follows:

(b) Notification of change of maximum price. If this regulation, or any amendment thereto, changes a manufacturer's maximum price for sales of evaporated milk or British Standard evaporated milk, with the first delivery of that item after the effective date of the provision changing the maximum price, the manufacturer shall:

Supply each wholesaler and retailer who purchases the item from him with the following written notice:

## NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, grade, brand, style of pack and container type and size) has been changed under the provisions of Revised Maximum Price Regulation 289. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422, or 423, and if we are your customary type of supplier, you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations. You must refigure your ceiling price on the first delivery of this item to you on and after (insert effective date of amendment).

For a period of 60 days after the effective date of the provision changing the maximum price, and with the first delivery after the 60-day period to each person who has not made a purchase within



that time, the manufacturer shall include in each box, carton, or case containing the item the written notice set forth above.

This amendment shall become effective May 20, 1946.

Issued this 20th day of May 1946.

PAUL A. PORTER,  
Administrator.

Approved: May 20, 1946.

N. E. DODD,  
Under Secretary of Agriculture.

For the reasons set forth in the accompanying Statement of Considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942 as amended and Executive Order Nos. 9250, 9328, 9599, I

approve the issuance of this amendment.

CHESTER BOWLES,  
Economic Stabilization Director.

[F. R. Doc. 46-8481; Filed, May 20, 1946;  
4:42 p. m.]

#### PART 1305—ADMINISTRATION

[SO 148]

ADJUSTMENT OF MAXIMUM PRICES FOR SALES  
OF CERTAIN LOW-END CONSUMER DURABLE  
GOODS

#### Correction

In Federal Register document 46-3742, appearing at page 2447 of the issue for Saturday, March 9, 1946, the table in Appendix A should read as follows:

I Article	II Cut-off price	III Maximum percentage adjust- ment	IV Profit margin factor (percent)
Alarm clocks, spring driven.....	\$1.00 each.....		4.3
Dinnerware, semivitreous.....			2.2
53 piece set.....	\$5.50 <sup>1</sup> each.....		
7" trade plate.....	\$1.50 <sup>1</sup> per dozen.....		
Electrical appliances.....			4.9
Fans, 8" nonoscillating.....	\$2.00 each.....		
Fans, 10" oscillating.....	\$4.00 each.....		
Irons, household.....	\$2.00 each.....		
Toasters.....	\$1.75 each.....		
Flatware, silver plated.....		25	3.4
For household use.....	\$1.80 <sup>1</sup> .....		
For commercial or institutional use.....	\$3.50 <sup>2</sup> to users.....		
Garden trowels and forks, 18 gauge.....	\$0.90 per dozen.....		
Glass lamp chimneys.....	\$1.00 per dozen.....		
Glass lantern globes.....	\$1.50 per dozen.....		
Hand tools whose metal parts are of cast iron.....		15	4.4
Lamps, bed and desk.....	\$1.00 each.....		
Lawn mowers, hand.....	\$7.00 each.....		2.7
Radios and electric phonographs.....	\$8.15 each.....		3.0
Watch cases.....			5.5
Base metal or rolled gold plate.....	\$2.00 each.....	20	
Any case except solid gold with price under \$4.00.....	\$4.00 each.....	10	

<sup>1</sup> Prices for other sets and sizes are in their customary proportions to these prices.

<sup>2</sup> Prices are for one dozen teaspoons, prices for other pieces are in their customary proportions to these prices.

#### PART 1305—ADMINISTRATION

[SO 129, Amdt. 22]

EXEMPTION AND SUSPENSION FROM PRICE  
CONTROL OF MACHINES, PARTS, INDUSTRIAL  
MATERIALS AND SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order No. 129 is amended in the following respects:

1. Section 13 (a) is amended by adding the following to the list of commodities thereunder:

Copper engravers' sheet and plate (ground and polished).

Non-ferrous lockseam tubing.

Non-ferrous washers (this suspension does not include any washers which may come under the definition of non-ferrous castings in Revised Maximum Price Regulation No. 125).

2. Section 13 (b) is amended by adding the following to the list of commodities thereunder:

Fabricated iron and steel strapping, including flat band and wire strapping, and

corner clips and seals used for reinforcing containers. This suspension does not apply to cold or hot rolled strip or wire sold for general purposes, nor does it apply to bale ties.

Ferrous washers (This suspension does not include any washers which may come under the definition of steel castings in Revised Price Schedule No. 41, high alloy castings in Maximum Price Regulation No. 214, manganese steel castings in Maximum Price Regulation No. 235, malleable iron castings in Maximum Price Regulation No. 241, or gray iron castings in Maximum Price Regulation No. 244).

High and low pressure steel gas cylinders. Industrial steel wool.

3. Section 13 (c) is amended by adding the following to the list of commodities thereunder:

Asbestos textiles and carded asbestos fibers.

This amendment shall become effective May 22, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8594; Filed, May 22, 1946;  
11:15 a. m.]

#### PART 1305—ADMINISTRATION

[SO 132, Amdt. 29]

EXEMPTION AND SUSPENSION FROM PRICE  
CONTROL OF CERTAIN FOODS, GRAINS, AND  
CEREALS, FEEDS, TOBACCO AND TOBACCO  
PRODUCTS, AGRICULTURAL CHEMICALS, IN-  
SECTICIDES AND BEVERAGES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplementary Order No. 132 is amended in the following respect:

In section 2 (a) (1) the following commodities are added in alphabetical order:

	From—	Termination date
Pickles and pickle products. (This includes pickles packed from fresh cucumbers; salt stock cucumbers (raw cucumbers which have been fully or partially cured by treatment with salt brine); processed cucumbers; processed peppers; processed cauliflower; processed onions; relish and piccalilli (the products made from one or more of the following cut vegetables and seasoning: cucumbers, green tomatoes, onions, celery, cabbage, cauliflower and peppers). "Processed" means converted by processing from salt stock to the finished product.)	1946 May 22	Indefinite.
Spinach, canned and frozen. (This does not include strained or chopped spinach sold as "baby food" or "junior food," nor does it include spinach soup.)	May 22	Indefinite.

This amendment shall become effective May 22, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

For the reasons stated in the accompanying statement of considerations, I hereby approve the suspension of the above-named commodities.

CHESTER BOWLES,  
Director,  
Office of Economic Stabilization.

Approved: May 13, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-8596; Filed, May 22, 1946;  
11:15 a. m.]

#### PART 1305—ADMINISTRATION

[Rev. SO 119, Amdt. 9]

INDIVIDUAL ADJUSTMENTS FOR RECONVERTING  
MANUFACTURERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplementary Order No. 119 is amended in the following respect:

<sup>1</sup> 10 F.R. 14954, 15170; 11 F.R. 296, 297, 881, 1102, 1467, 2378, 2640, 2989, 2927, 3247, 3396, 4021.



In Appendix C, List I—Profit factors for specified industries the listing of metal office furniture and the profit factor of 5.4% therefor is changed to read Metal office furniture..... 2.9%

This amendment shall become effective on the 27th day of May 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8593; Filed, May 22, 1946;  
11:15 a. m.]

#### PART 1305—ADMINISTRATION

[SO 131,<sup>1</sup> Corr. to Amdt. 19]

#### REVISED MAXIMUM PRICES FOR CERTAIN COTTON TEXTILES

Amendment 19 to Supplementary Order No. 131 is corrected as follows:

The reference to section 3 (a) in item 1 is corrected to read section 3a.

This correction shall become effective as of April 17, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8595; Filed, May 22, 1946;  
11:15 a. m.]

#### PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 525, Amdt. 12]

#### JOBBER SALES OF STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 525 is amended in the following respects:

Paragraph (b) in section 2a is amended to read as follows:

(b) Where a seller under this regulation sells stock millwork for which a maximum price at the manufacturing level has been increased by the Office of Price Administration, either by way of industry-wide or individual adjustment, he may use the following procedures to adjust his prices:

(1) Where the manufacturer's maximum prices are increased by changes either in discounts or net prices, the seller under this regulation may add to the prices calculated under (a) above only the dollar-and-cent amount by which the price at the manufacturing level has been adjusted.

(2) Where the manufacturer's maximum prices are increased by actions revising basic list prices only, such as Amendment 14 to RMPR 293 which revised the Supplemental Lists to Standard Lists Catalog No. 40, the seller under this regulation may increase his maxi-

mum prices calculated under (a) above by applying the percentage mark-up permitted in the applicable section of this regulation to the amount of the increase in the manufacturer's maximum price resulting from the change in the basic list. In other words, the seller may substitute the new list for the March 1, 1946, list and calculate his price as though the new list were in effect on March 1, 1946.

(3) Where the manufacturer's maximum prices are increased by actions providing both a change in discount as well as a revision in the basic list price, the seller under this regulation may make the following additions to the prices calculated under (a) above:

(i) The amount permitted under subparagraph (2) above by virtue of the change in list.

(ii) The dollar-and-cent amount by which the price at the manufacturing level has been increased by applying the manufacturer's new discount to the new list as against applying the manufacturer's old discount to the new list. In other words, the seller may use the revised list, in lieu of the March 1, 1946, list to calculate what the price at the manufacturing level would have been on March 1, 1946.

This Amendment No. 12 shall become effective May 27, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8591; Filed, May 22, 1946;  
11:17 a. m.]

#### PART 1305—ADMINISTRATION

[SO 132,<sup>1</sup> Amdt. 30]

#### DRY LENTILS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 2 (commodities suspended from price control), paragraph (a) (1) is amended by adding the following item:

	From	Termination date
Dry lentils (domestic and imported).....	May 22, 1946	Indefinite.

This amendment shall become effective May 22, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

Approved May 13, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-8597; Filed, May 22, 1946;  
11:15 a. m.]

<sup>1</sup> 10 F.R. 14954, 15170, 11 F.R. 296; 297, 881, 1102, 1467, 2378, 2640, 2989, 2927, 3247, 3396, 4021, 4090.

#### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 229, Amdt. 7]

#### RETAIL AND WHOLESALE PRICES FOR RUBBER FOOTWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 229 is amended in the following respects:

1. A new subparagraph, designated (4), is added to section 5 (a) to read as follows:

(4) Maximum prices for mail order sales at retail. Notwithstanding any other provision of this regulation, the maximum price for a mail order sale at retail of any item of waterproof rubber footwear covered by this section 5 (a), shall be determined as follows:

(i) The mail order retailer shall determine the price for his retail sales of the item of waterproof rubber footwear he is pricing in accordance with subparagraph (2) above.

(ii) The mail order retailer shall determine whether his supplier's maximum price for a sale of the waterproof rubber footwear item to a purchaser of the mail order retailer's class of buyer was increased on April 1, 1946; and, if so, the dollar-and-cents amount of such increase per pair of the item of footwear.

(iii) The maximum price for the mail order retailer's sales at retail of the item shall be the result obtained in (i) above, plus the result obtained in (ii) above.

2. In Appendix A, the footnote reference 'is added immediately following the heading in the table "Class V (mail order sellers only)".

3. The following footnote, designated \*, is added to Appendix A:

\* The maximum prices for mail order sellers listed in this table are subject to re-determination in accordance with subparagraph (4) of section 5 (a).

This amendment shall become effective May 22, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8588; Filed, May 22, 1946;  
11:17 a. m.]

#### PART 1346—BUILDING MATERIALS

[MPR 466, Amdt. 6]

#### ASBESTOS—CEMENT BUILDING MATERIALS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 466 is amended in the following respects:

1. A new section 8.4 (a) (4) is added to read as follows:

(4) The maximum net prices established under this regulation for as-

<sup>1</sup> 10 F.R. 11296, 11890, 12116, 13268, 13269, 13812, 14504, 14657, 14779, 15004, 15383; 11 F.R. 532, 1771, 1888, 2635, 2972, 3599, 3744, 4037, 4329, 4584, 4533, 4867, 4972.



bestos-cement roof shingles and accessories listed in Table 5, below, may be increased by an amount not in excess of 15 percent.

2. A new section 8.4 (a) (5) is added to read as follows:

(5) The maximum net prices established under this regulation for asbestos-cement siding shingles and accessories listed in Table 5, below, may be increased by an amount not in excess of 5 percent.

3. In section 9.2, two new paragraphs are added to read as follows:

The maximum net prices established under this regulation for asbestos-cement roof shingles and accessories listed in Table 6, below, may be increased by an amount not in excess of 15 percent.

The maximum net prices established under this regulation for asbestos-cement siding shingles and accessories listed in Table 6, below, may be increased by an amount not in excess of 5 percent.

4. Section 10.3 is redesignated as section 10.4 and a new section 10.3 is added to read as follows:

Sec. 10.3 *Maximum prices for sales and deliveries by resellers on sales other than direct shipment from factory.* Any reseller purchasing asbestos-cement building materials for resale in the same form other than by direct shipment from factory may add to his maximum prices for that product established under the General Maximum Price Regulation, an amount not exceeding the actual dollars-and-cents increased cost resulting to him by reason of increases permitted on asbestos-cement building materials pursuant to Amendment No. 6 to Maximum Price Regulation 466. Notwithstanding the provisions of this section 10.3, in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

This amendment shall become effective May 27, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8590; Filed, May 22, 1946; 11:17 a. m.]

#### PART 1361—FARM EQUIPMENT

[MPR 246, Corr. to Amdt. 16]

##### MANUFACTURERS' AND WHOLESALE PRICES FOR FARM EQUIPMENT

The heading of paragraph (b) of § 1361.52 of Maximum Price Regulation 246 as amended by Amendment 16 is corrected to read as follows:

(b) *Manufacturers price (except for products without a suggested retail price.)*

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8589; Filed, May 22, 1946; 11:17 a. m.]

#### PART 1365—HOUSEHOLD FURNITURE

[MPR 548, Amdt. 7]

##### METAL UPHOLSTERY SPRINGS, CONSTRUCTION AND ACCESSORIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith; and it has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 548 is amended in the following respects:

1. Section 1 (a) (6) is amended to read:

- (6) (i) Helicals.
- (ii) Fabrics.
- (iii) Fabric plates.
- (iv) Notch wires.
- (v) Construction links.

2. Section 1 (b) (4) is deleted.

3. Section 1 (b) (5) is amended to read as follows:

(5) Wood parts, and padding, unless they are an integral part of the inner construction.

4. The heading "A. Crosswise lacing" appearing midway in Column 1 of Table

Manufacturer	Model	Description	Retail price
Associated Merchandising Corp.	AMC-352.....	Floor type—Motor-driven brush.....	\$39.98
	AMC-382.....	Cylinder type—Included: 7 piece attachment set.	44.98

This amendment shall become effective on the 22d day of May 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8584; Filed, May 22, 1946; 11:16 a. m.]

#### PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[RMPPR 136, Amdt. 38]

##### MACHINES, PARTS AND INDUSTRIAL EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 136 is amended in the following respects:

1. Paragraph (d) of section 19 is amended so that the following sentence is added thereto: "Resellers may increase their maximum prices by the same percentage by which their net invoiced costs have been increased as a result of the increase in prices granted their manufacturers by this paragraph, subject to the same discounts, allowances and other deductions in effect to a purchaser of the same class on May 26, 1946".

2 (a). Subparagraph (7) of section 28 (a) is amended so that the following sentence is deleted therefrom: "If on the base date the seller or lessor customarily sold or leased, or offered to sell or lease, the same product to any purchaser or lessee at a price different from the price or prices at which he sold or leased, or

I under Type VIII of section 4 is amended to read "B. Lengthwise lacing".

This amendment shall become effective on May 27, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8592; Filed, May 22, 1946; 11:18 a. m.]

#### PART 1370—ELECTRICAL APPLIANCES

[RMPPR 111, Amdt. 5]

##### NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 111 is amended in the following respect:

Section 25, Appendix A is amended by adding to the list of models and retail ceiling prices therein the following models of vacuum cleaners to be inserted in alphabetical order:

offered to sell or lease, the same product to all other purchasers or lessees, that purchaser or lessee is in a price class by himself".

(b) Subparagraph (7) of section 28 (a) is further amended to add the following sentence thereto: "For the purposes of this definition, a 'new purchaser or lessee' shall also mean a purchaser or lessee, to whom customarily on the base date, a seller or lessor sold or leased, or offered to sell or lease, the same product at a price different from the price or prices at which the seller or lessor sold or leased, or offered to sell or lease, the same product to all other purchasers or lessees."

This amendment shall become effective May 27, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8585; Filed, May 22, 1946; 11:16 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[MPR 142, Amdt. 6]

##### RETAIL PRICES FOR SUMMER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 142 is amended in the following respect:

Section 1372.2 (b) is amended by deleting the following from the list of clas-



sifications and specific items contained therein:

Furniture and all items thereunder  
Toys and all items thereunder  
Awnings  
Boats, sail, motor, rowboats and canoes  
Electric fans and ventilators and room coolers  
Flower boxes for growing plants  
Picnic baskets  
Slat shades, wooden, for porch use  
Sprinklers for watering lawns

This amendment shall become effective on the 27th day of May 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8586; Filed, May 22, 1946;  
11:16 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS [RMPR 194, Amdt. 4]

##### SALES OF IMPORTED COMMODITIES IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 194 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *What commodities are covered.* This regulation covers all sales of imported commodities except:

(a) Sales which are covered by Revised Maximum Price Regulation 288—Specific Maximum Prices in Alaska.

(b) Sales which are covered by any other OPA regulations or orders applicable in Alaska, but no such regulation or order shall be deemed to apply to Alaska unless it contains an express provision to the effect that it shall apply in Alaska notwithstanding the provision of Revised Maximum Price Regulation 194 (or Maximum Price Regulation 194).

(c) Sales of used or secondhand commodities whether they are imported as such or whether they become used or secondhand in Alaska.

(d) Sales of any commodities or transactions excepted from the General Maximum Price Regulation by Revised Supplementary Regulation 1 which are not otherwise subject to price regulation in the continental United States.

2. A new section 5a is added under Article I to read as follows:

Sec. 5a. *How to treat taxes.* (a) You may collect, in addition to your ceiling price, any tax upon or incident to a sale of a commodity if the tax is actually paid by you or collected from you by your vendor. *Provided,* That you state the tax separately and the statute imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price. However, any such tax paid to your vendor may not be treated as an item of landed cost on which your markup may be added.

(b) If the amount of any such tax ends in a fraction of a cent, then the

amount of such tax may be increased to the nearest higher cent if the fraction is one-half cent or more, and shall be reduced to the nearest lower cent if the fraction is less than one-half cent. Such adjustments to the nearest cent, or to the nearest nickel as provided in section 19 (a) (3), may be made only on the sum of the combined purchase price of one or more commodities sold in a single sale or transaction or in a series of sales billed at the end of a period, plus the actual amount of the tax on such purchase price.

This amendment shall become effective May 27, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8587; Filed, May 22, 1946;  
11:17 a. m.]

#### PART 1499—COMMODITIES AND SERVICES [2d Rev. SR 14, Amdt. 27]

##### BALED SOUTHERN PINE WOOD EXCELSIOR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation is amended in the following respects:

1. In section 3.3 paragraphs (a) and (b) are amended to read as follows, together with the heading of section 3.3:

SEC. 3.3 *Baled Southern pine wood excelsior*—(a) *Maximum prices for sales by manufacturers and by Virginia Excelsior Mills, Incorporated, Doswell, Virginia.* The maximum price f. o. b. mill per net ton for sales of baled Southern pine wood excelsior by Virginia Excelsior Mills, Incorporated, Doswell, Virginia and by manufacturers in the States named in paragraph (e) shall be as follows:

*Maximum price for carload lots shipped to jobbers and distributors*

Grade:	Per net ton f. o. b. mill
XX.....	\$29.25
XXXX.....	31.25
Wood wool.....	42.25
Fine wood wool.....	50.25

*Addition for less than carload shipments.* 1 to 10 tons, add \$2.00 per ton to above prices. Less than 1 ton, add \$4.00 per ton to the above prices.

*Addition for shipments direct to consumer.* Add \$2.00 per ton to above prices.

(b) *Maximum price for sales by jobbers or distributors of baled Southern pine wood excelsior manufactured in Virginia.* The maximum prices per net ton for sales by jobbers and distributors, of baled Southern pine wood excelsior produced in Virginia shall be the seller's maximum price established under the General Maximum Price Regulation for the particular grade of excelsior, and class of consumer, plus \$3.25 per ton.

<sup>1</sup> 10 F.R. 1154, 2026, 2161, 2432, 2618, 3551, 4107, 8620.

This amendment shall become effective May 27, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8582; Filed, May 22, 1946;  
11:16 a. m.]

#### PART 1499—COMMODITIES AND SERVICES [SR 14E, Amdt. 42]

##### MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TEXTILES, LEATHER AND APPAREL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 2.7 of Supplementary Regulation 14E is amended in the following respects:

1. The last sentence of subparagraph (6) of paragraph (b) of section 2.7 is amended to read as follows: "This subparagraph (6) shall not apply to sales covered by paragraphs (r), (s), (t) and (v) of Section 2.7."

2. Paragraph (s) of section 2.7 is amended to read as follows:

(s) *Sales of certain anklets, hosiery and handkerchiefs.* (1) The maximum price for sales at wholesale of anklets, hosiery and handkerchiefs for which the manufacturer has adjusted his maximum price under either Supplementary Order 139 or Supplementary Order 154 shall be the sum of the seller's ceiling price as established under the General Maximum Price Regulation and 70% of the amount by which the manufacturer has increased his price, except that in pricing hosiery and anklets for which the manufacturer has increased his maximum price by more than 20 cents per dozen, the seller's ceiling price per dozen shall be the sum of the seller's ceiling price as established under the General Maximum Price Regulation, plus 14 cents, and the amount by which the manufacturer's increase per dozen exceeds 20 cents.

(2) No seller may sell an article at the modified prices permitted in this paragraph unless he has received from the manufacturer of that article a written notice showing the amount by which the manufacturer increased his maximum price pursuant to Supplementary Order 139 or Supplementary Order 154. The seller must keep this notice available at all times for inspection by the Office of Price Administration.

(3) On each sale to a seller at retail of an article for which the maximum price is adjusted under this paragraph, the seller shall place on or attach to the invoice covering that sale a notice setting forth the "OPA Adjustment Charge" (that is, an amount representing 70% of

<sup>1</sup> 10 F.R. 1183, 2014, 4156, 7117, 7497, 7667, 9337, 9540, 9963, 10021, 11401, 12601, 12612, 13271, 13692, 13826, 14506, 14742, 15007, 15036, 15467; 11 F.R. 115, 348, 405, 407, 560, 677, 889, 949, 1405, 1594, 1850, 2042, 3090, 4163, 3158, 3366.

<sup>1</sup> 10 F.R. 2176, 2479, 3054.



the manufacturer's increase, but in the case of hosiery and anklets no more than 14 cents per dozen), and the "Retailer's Permitted Increase" (that is, in the case of hosiery and anklets, the amount by which the manufacturer has increased his maximum price by more than 20 cents per dozen) in the following form:

STATEMENT OF "OPA ADJUSTMENT CHARGE" AND "RETAILER'S PERMITTED INCREASE"

The OPA has permitted us to add the amounts set forth in columns 3 and 4 below for the following items.

(1)	(2)	(3)	(4)
Description of article	Old ceiling	Retailer's permitted increase	"OPA adjustment charge"

The amount stated in Column (4) may not be added to your price when you sell under the General Maximum Price Regulation nor be included as part of your net cost when you price under Maximum Price Regulation 580. The amount stated in Column (3) may be added to your price when you sell under the General Maximum Price Regulation or be included as part of your net cost when you price under Maximum Price Regulation 580.

This amendment shall become effective May 27, 1946.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8583; Filed, May 22, 1946;  
11:16 a. m.]

## TITLE 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

#### PART 3—STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

##### MINIMUM OPERATING SCHEDULE OF STANDARD BROADCAST STATIONS

At a session of the Federal Communications Commission held in its offices in Washington, D. C. on the 9th day of May 1946;

It appearing that on November 6, 1942, the Commission adopted as a war-time conservation measure, Order No. 94-A, which suspended § 3.71 of the Commission's rules and regulations (minimum operating schedule of standard broadcast stations); and

It further appearing that repeal of Order No. 94-A will serve the public interest;

Now, therefore, it is ordered, That Order No. 94-A be and it is hereby repealed.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-8556; Filed, May 21, 1946;  
3:23 p. m.]

#### PART 3—STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

##### MINIMUM HOURS OF OPERATION AND MAINTENANCE OF OPERATING POWER OF BROADCAST STATIONS

Whereas, a number of governmental authorities have issued or may issue requirements or requests restricting the use of electrical power during the existing coal emergency; and

Whereas, it appears to be in the public interest that radio broadcast stations cooperate with all efforts looking towards the conservation of electrical power;

Now, therefore, it is ordered, This 9th day of May, 1946, that §§ 3.71, 3.261, and 3.661 of the Commission's rules relating to minimum operating schedules of standards, FM, and television broadcast stations, and § 3.57 of the Commission's rules relating to operation of broadcast stations with full licensed power be, and the same are hereby, waived for the purpose of enabling station licensees to effectuate such cooperation.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-8555; Filed, May 21, 1946;  
3:23 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[S. O. 517]

#### PART 95—CAR SERVICE

##### RESTRICTION ON USE OF VENTILATED BOX OR STOCK CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of May A. D. 1946.

It appearing, that stock cars and ventilated box cars are being used unnecessarily for the transportation of potatoes originating in North and South Carolina, destined alcohol processing plants, thereby contributing to the shortage of such equipment which is essential for other transportation; in the opinion of the Commission an emergency requiring immediate action exists in the States of North and South Carolina; it is ordered, that:

Use of ventilated box cars or stock cars restricted. (a) No common carrier by railroad subject to the Interstate Commerce Act, operating in North Carolina

or South Carolina, shall furnish a stock car or a ventilated box car for loading with, or shall accept for transportation or move any such car loaded with potatoes consigned to, or for alcohol processing plants.

(b) *Effective date.* This order shall become effective at 12:01 a. m., May 21, 1946.

(c) *Expiration date.* This order shall expire at 11:59 p. m., August 31, 1946, unless otherwise modified, changed, suspended or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of North Carolina and South Carolina and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-8552; Filed, May 21, 1946;  
1:50 p. m.]

[S. O. 480, Amdt. 4]

#### PART 95—CAR SERVICE

##### INCREASED MINE HOLDINGS OF UNBILLED BITUMINOUS COAL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of May A. D. 1946.

Upon further consideration of Service Order No. 480 (11 F.R. 3367), as amended (11 F.R. 4164, 4806, 5356); and good cause appearing therefor: *It is ordered, That:*

Service Order No. 480 as amended, be, and it is hereby, further amended by substituting the following paragraph (e) in lieu of paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 7:00 a. m., May 27, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered,* That this amendment shall become effective at 7:00 a. m., May 21, 1946; that copies of this order shall be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington,



D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-8579; Filed, May 22, 1946;  
11:10 a. m.]

[S. O. 518]

#### PART 95—CAR SERVICE

##### RESTRICTIONS ON HOLDING POTATOES FOR ORDERS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of May A. D. 1946.

It appearing, that cars of potatoes held for orders, reconsignment or diversion at Berkley (Norfolk) Virginia unduly congest railroad yards at that point and impede or diminish the use, control, supply, movement, distribution exchange, interchange, and return of such cars; in the opinion of the Commission an emergency requiring immediate action to prevent a shortage of equipment and congestion of traffic exists at Berkley (Norfolk) Va.: It is ordered, that:

(a) *Potatoes at Berkley, Va.; restriction on holding cars for orders, reconsignment or diversion.* The Norfolk Southern Railway Company shall not hold for orders, reconsignment or diversion any railroad freight car or refrigerator car, loaded with potatoes at Berkley (Norfolk) Virginia.

(b) *Application.* The provisions of this order shall apply only to shipments billed on and after the effective date of this order, except that when a shipment has been unloaded under a transit arrangement the provisions of this order shall apply to such shipment if billed at the transit point on or after the effective date of this order.

(c) *Tariff provisions suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Announcement of suspension.* Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby, on not less than one day's notice, announcing the suspension of any of the provisions therein.

(e) *Effective date.* This order shall become effective at 12:01 a. m., May 24, 1946.

(f) *Expiration date.* This order shall expire at 11:59 p. m., July 15, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17).)

It is further ordered, that a copy of this order and direction shall be served upon The Norfolk Southern Railway Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy

in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-8578; Filed, May 22, 1946;  
11:10 a. m.]

[S. O. 514]

#### PART 97—ROUTING OF TRAFFIC

##### REROUTING OF TRAFFIC; APPOINTMENT OF AGENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 18th day of May A. D. 1946.

It appearing, that upon representations from the Office of Defense Transportation, and due to the fact that certain railroads have been unable to transport promptly carload and less-than-carload traffic offered to them so as to properly serve the public; the Commission is of opinion that an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people.

*Rerouting of freight traffic and empty cars; appointment of agent.* (a) Homer C. King, Deputy Director, Office of Defense Transportation, Washington, D. C., is hereby designated and appointed an Agent of the Interstate Commerce Commission and vested with authority to divert or reroute all carload and less-than-carload freight traffic as well as empty freight cars from the line of any railroad or railroads subject to the Interstate Commerce Act, which in his opinion cannot currently accept and move such traffic or empty cars, over the line or lines of any other railroad or railroads less congested which are more able to handle the traffic or empty cars. Such rerouting or diversion shall be made regardless of the routing shown on the bill of lading designated by either shipper or carrier. Such diversion or rerouting shall be made by said Agent either at point of origin or as soon as possible after the shipment has left the point of origin.

(b) As Agent he is authorized to set up, subject to the approval of the Commission, an Advisory Committee on which shall be at least one representative of the Office of Defense Transportation, and one representative of the Association of American Railroads.

(c) As Agent he is hereby directed to avail himself of the facilities of the Association of American Railroads, its various departments, field forces, records, and reports.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers in-

involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Application.* The provisions of this order shall apply to intrastate as well as interstate commerce.

(g) *Effective date.* This order shall become effective at 5:00 p. m., May 18, 1946.

(h) *Expiration date.* This order shall expire at 11:59 p. m., June 30, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4).)

It is further ordered, that a copy of this order and direction shall be served upon each State railroad regulatory body, all common carriers by railroad subject to the Interstate Commerce Act, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-8549; Filed, May 21, 1946;  
1:50 p. m.]

#### Notices

##### DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

[Order 2200]

COAL MINES

##### ORDER TAKING POSSESSION

By virtue of the authority vested in me by the President of the United States by Executive Order 9728, dated May 21, 1946 (*supra*), and having determined that a strike or work stoppage has occurred or is threatened at each and all of the coal mines listed in Appendix A, attached hereto and made a part hereof, I do hereby take possession of each and all such coal mines, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines.

The Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712, 11344,

<sup>1</sup> Filed with the Division of the Federal Register.



17339), heretofore issued by the Secretary of the Interior, and such revisions thereof as may from time to time be issued, shall be applicable to the mines possession of which is taken by this order.

The President of each of the mining companies operating the mines listed in Appendix A (or if there is no president, its chief executive officer) is hereby, and until further notice, designated Operating Manager for the United States for each such mine. Unless advice to the contrary is received within ten days, the aforesaid President (or chief executive officer) shall be deemed to have accepted such designation. As Operating Manager for the United States, he is authorized and directed to operate any and all such mines in accordance with the aforementioned Regulations for the Operation of Coal Mines Under Government Control, as amended, and such revisions thereof as may from time to time be issued, and to do all things necessary and appropriate for the operation of such mines and for the production, distribution and sale of their products.

The Operating Manager for the United States shall forthwith fly the flag of the United States at each of the mining properties listed in Appendix A and shall conspicuously display at each of such properties copies of a poster to be supplied by the Department of the Interior and reading

#### NOTICE

In accordance with the Executive order of the President of the United States, Government possession of this coal mine has been taken by Order of the Secretary of the Interior.

J. A. KRUG,  
Secretary of the Interior.

This order shall become effective at 12:01 a. m. May 22, 1946.

J. A. KRUG,  
Secretary of the Interior.

MAY 21, 1946.

[F. R. Doc. 46-8652; Filed, May 22, 1946; 11:58 a. m.]

[Order 2199]

#### COAL MINES

POWERS UNDER E. O. 9728; EXERCISE OF POWERS AS COAL MINES ADMINISTRATOR; DELEGATION TO DEPUTY COAL MINES ADMINISTRATOR; DESIGNATION OF DEPUTY COAL MINES ADMINISTRATOR

I shall hereafter exercise, as Coal Mines Administrator, the powers, authority and discretion conferred upon the Secretary of the Interior by the provisions of Executive Order No. 9728, dated May 21, 1946 (*supra*), and there is hereby delegated to the Deputy Coal Mines Administrator, subject to such supervision and direction as the Administrator shall from time to time determine, authority to exercise any and all powers, authority and discretion conferred upon the Secretary of the Interior by the provisions of the aforesaid Executive order, with respect to all coal mines, possession of which has been taken or shall hereafter be taken by him, to the same extent and with the same effect as the said powers, authority

and discretion may be exercised directly by the Secretary of the Interior.

Vice Admiral Ben Moreell is hereby designated Deputy Coal Mines Administrator with power to perform the functions of that office.

J. A. KRUG,  
Secretary of the Interior.

MAY 21, 1946.

[F. R. Doc. 46-8651; Filed, May 22, 1946; 11:58 a. m.]

#### FEDERAL COMMUNICATIONS COMMISSION.

EL PASO, TEX., AREA

NOTICE OF AVAILABILITY OF 1340 KC. FREQUENCY

APRIL 29, 1946.

The Federal Communications Commission announces the availability of the frequency 1340 kilocycles for use in the El Paso, Texas, area, by virtue of the deletion by Mexico of this frequency at Ciudad Juarez, Chihuahua.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-8554; Filed, May 21, 1946; 3:23 p. m.]

#### FEDERAL POWER COMMISSION.

[Project No. 199]

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

ORDER CONSOLIDATING PROCEEDINGS AND POSTPONING DATE OF HEARING

MAY 17, 1946.

Upon consideration of the request filed May 1, 1946, by the South Carolina Public Service Authority, licensee for Project No. 199, for a postponement of the public hearing set for May 21, 1946, by our order of April 23, 1946, respecting the amended application filed April 30, 1943, by said licensee for exemption from payment of annual charges for the year 1942, and for consolidation in such postponed hearing of its applications filed February 28, 1944, February 1, 1945, and February 4, 1946, for such exemption for the years 1943, 1944, 1945, respectively; and

It appearing that:

(a) In its request licensee states the issues involved in the applications for exemption are of sufficient importance to require additional time for thorough preparations;

(b) All said applications for exemption raise the issues described in paragraph (e) of our order of April 23, 1946, and the further issue that the annual charges assessed by the Commission are unconstitutional taxes or charges on a governmental activity of the State of South Carolina;

(c) Good cause exists for the postponement of the hearing in these matters;

(d) Good cause exists for consolidating the above matters for purposes of hearing;

The Commission orders that:

(A) The proceedings upon the applications filed by said licensee for exemp-

tion from payment of annual charges for the years 1943, 1944, and 1945, be and they are hereby consolidated with the proceeding heretofore instituted for the purposes of the hearing;

(B) The consolidated hearing on these matters be and the same is hereby postponed to September 16, 1946, at 10:00 a. m. (EST) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-8553; Filed, May 21, 1946; 2:01 p. m.]

[Docket No. G-600]

PENN-YORK NATURAL GAS CORP.

ORDER GRANTING APPLICATION TO WITHDRAW PETITION FOR REHEARING, AND VACATING PRIOR ORDER GRANTING REHEARING AND STAY

MAY 17, 1946.

Upon consideration of the record herein, and it appearing to the Commission that:

(a) On February 16, 1946, the Commission entered an order in this matter reducing the rates of Penn-York Natural Gas Corporation ("Penn-York");

(b) On March 11, 1946, Penn-York filed an application for a rehearing and stay of said order reducing rates;

(c) On April 5, 1946, the Commission, pursuant to such application, entered an order (1) granting rehearing of the order of February 16, 1946, as prayed, (2) setting the matter for rehearing on April 29, 1946, and (3) staying the order of February 16, 1946, pending determination of the matter upon rehearing; and thereafter, pursuant to agreement, the rehearing was continued to May 20, 1946;

(d) On May 16, 1946, Penn-York filed an application for (1) withdrawal of its application for rehearing, (2) dissolution of the stay of said order of February 16, 1946, and (3) entry of an appropriate order in the premises;

The Commission finds that:

Good cause exists for granting the application of Penn-York filed herein on May 16, 1946.

The Commission orders that:

(A) The application of Penn-York filed on May 16, 1946, for leave to withdraw its petition for rehearing filed in this matter on March 11, 1946, be and it is hereby granted.

(B) The order of April 5, 1946, granting rehearing and stay of the order of February 16, 1946, be and the same is hereby vacated and set aside; such stay is hereby dissolved; and the rehearing of the matter, now set for May 20, 1946, be and the same is hereby cancelled and the proceedings in this matter terminated.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-8573; Filed, May 22, 1946; 10:58 a. m.]



[Docket No. IT-5991]

## CALIFORNIA ELECTRIC POWER CO.

## NOTICE OF APPLICATION

MAY 20, 1946.

Notice is hereby given that on May 17, 1946, an application was filed with the Federal Power Commission pursuant to sections 203 and 204 of the Federal Power Act by California Electric Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Arizona, California and Nevada, with its principal business office at Riverside, California, seeking an order authorizing it to redeem its presently outstanding First Mortgage Bonds 3½% Series due 1968, through the issuance of \$16,000,000 principal amount of First Mortgage Bonds, to be dated June 1, 1946, and to be due June 1, 1976, at an interest rate not to exceed 3% and a price to the company of not less than 104% of the principal amount, and the issuance of 169,636 shares of Common Stock, par value \$1.00 at prices to be established through competitive bidding; and, to the extent that section 203 of the Federal Power Act may be applicable, an order authorizing the execution and delivery of a Second Supplemental Indenture to be dated June 1, 1946, to the International Trust Company and Leo A. Steinhardt, as Trustees, creating said issues of bonds; all as more fully appears in the application on file with the Commission.

Any persons desiring to be heard or to make any protest with reference to said application should, on or before the 7th day of June, 1946, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 46-8648; Filed, May 22, 1946;  
11:44 a. m.]

[Docket No. G-713]

## MISSISSIPPI RIVER FUEL CORP.

## ORDER FIXING DATE OF HEARING

MAY 17, 1946.

Upon consideration of the application filed on April 5, 1946, by Mississippi River Fuel Corporation (Applicant), for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of facilities to be used in connection with its transportation and sale of natural gas in interstate commerce for resale for ultimate public consumption, said facilities being described as follows:

A series of loop lines consisting of 264.5 miles of 22-inch line, 13 miles of 12-inch line and 1 mile of 6-inch and 10-inch manifold river-crossing lines. The said loop lines will consist of a series of partial loops in each section of Applicant's main trunk pipeline up to Twelve Mile Station, and from a point about 18 miles north of that station a 22-inch loop line will extend in a northeasterly

direction and cross the Mississippi River in the vicinity of St. Genevieve, Missouri, and then continue in a northerly direction through the State of Illinois to a point of connection with the present Alton line of Applicant where the same crosses the Mississippi River. The loop line will then continue along the Alton line for approximately 9 miles to a point near the city limits of East St. Louis, Illinois.

In addition to the 264.5 miles of 22-inch loop line, 13 miles of 12-inch loop lines and 1 mile of 6-inch and 10-inch manifold river-crossing lines, Applicant seeks authorization to install the following compressor units:

No. of units (horsepower compressor units):	Location
2-600-----	Crossett Station.
2-1,000-----	Glendale Station.
2-600-----	Sherrill Station.
1-1,000-----	West Point Station.
3-600-----	Nuckles Station.
1-1,000-----	Biggers Station.
1-1,000-----	Neelyville Station.
1-1,000-----	Twelve Mile Station.

The Commission orders that:

(A) A public hearing be held commencing on June 10, 1946, at 10:00 a. m. (CDST), in Grand Jury Room 425, U. S. Court and Customs House Building, in the City of St. Louis, Missouri, respecting the matters involved and the issues presented in this proceeding.

(B) Interested state commissions may participate in this hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.[F. R. Doc. 46-8574; Filed, May 22, 1946;  
10:58 a. m.]

[Docket No. G-722]

## SOUTHERN NATURAL GAS CO.

## NOTICE OF APPLICATION

MAY 20, 1946.

Notice is hereby given that on May 6, 1946, an application was filed with the Federal Power Commission by Southern Natural Gas Company (Applicant), a corporation organized under the laws of the State of Delaware and having its principal place of business at Birmingham, Alabama, and authorized to do business in the States of Alabama, Georgia, Louisiana, Mississippi and Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain additional facilities to its existing natural gas transmission system, as hereinafter described.

Applicant owns and operates a natural gas pipe line transmission system extending from gas fields in Texas and Louisiana to Atlanta, Georgia, with branch lines extending to approximately 50 cities and towns in Alabama, Mississippi and Georgia.

Applicant states that it has entered into an agreement dated April 12, 1946, with Superior Oil Company which pro-

vides, subject to authorization of the construction of the facilities covered by this application, for the purchase of not less than 5% of its annual Line Requirements in the Gwinville Field, located in Jefferson Davis and Simpson Counties, Mississippi.

This application covers the construction of a transmission line, sixteen inches in diameter, extending from Applicant's system to the Gwinville gas field, located in Jefferson Davis and Simpson Counties, Mississippi, about 80 miles south of Applicant's present main line at Pickens, Mississippi.

Applicant states the capacity of the proposed Gwinville line will be 140,000 MCF per day when operated at an initial pressure of 1,000 pounds p. s. i. g. and a terminal pressure of 460 pounds p. s. i. g.

Applicant states the facilities will not provide an increase in the delivery capacity in Applicant's system beyond the increase of 25,000 MCF per day authorized in Docket G-641.

Applicant estimates the total overall cost of the proposed facilities to be \$2,511,400. Applicant expects to finance the cost from current funds. Applicant states that it has filed with the Securities and Exchange Commission an application for approval of a financing plan to provide such funds. Applicant contemplates that such plan will be consummated prior to the issue of an order on this application.

Applicant states it does not propose to make any change in its rates by reason of the construction of the proposed facilities.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, and if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to said application of Southern Natural Gas Company should, on or before the 5th day of June, 1946, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 46-8649; Filed, May 22, 1946;  
11:44 a. m.]

[Docket No. G-728]

## WEST TEXAS GAS CO.

## NOTICE OF APPLICATION

MAY 20, 1946.

Notice is hereby given that on May 8, 1946, an application was filed with the Federal Power Commission by West Texas Gas Company (Applicant), a corporation organized under the laws of the



State of Delaware, and having its principal place of business at Lubbock, Texas, and authorized to do business in the State of Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain additional facilities to its existing natural gas transmission system as hereinafter described.

The project for which a certificate is sought is the improvement of the transmission system by the following installations, enlargements and replacements:

(a) Install a 135 hp. boiler and a new stack and dismantle two existing stacks at Turkey Creek Gasoline Plant in Potter County, Texas.

(b) Install new pumping equipment in two water wells, one at Turkey Creek Gasoline Plant and one at Turkey Creek Compressor Station, Potter County, Texas.

(c) Improve Jacket Water System at Turkey Creek Compressor Station, Potter County, Texas.

(d) Install a 400 bhp. Compressor Unit at McSpadden Compressor Station, Randall County, Texas.

(e) Install one 8 $\frac{5}{8}$ " reservoir drip on McSpadden-Farwell branch line on discharge side of McSpadden Compressor Station, Randall County, Texas.

(f) Install one 8" Series 30 orifice fitting near the off-take on the McSpadden-Farwell branch line, Randall County, Texas.

(g) Install main line reservoir drips as follows:

(1) One 15" reservoir drip in the McSpadden-Happy Section, Randall County, Texas;

(2) Two 10" reservoir drips in the Plainview-Hale Center Section, Hale County, Texas.

(h) Install one 6" Series 30 orifice fitting near the off-take on the Lubbock-Farwell Branch line, Lubbock County, Texas.

(i) Drill and equip water well at Plainview Compressor Station, Hale County, Texas.

Applicant estimates the total over-all cost of the facilities involved will approximate the sum of \$86,777. Applicant states no financing is involved, and that the cost of installation will be met with cash on hand. Applicant further states that the rate structure of Applicant will not be increased by reason of the construction of the facilities proposed herein, and no increase is presently contemplated.

Applicant states that the proposed facilities are required to enable Applicant to serve its customers adequately through the 1946-47 heating season. Major facility (a), the installation of a 135 HP boiler at Turkey Creek Gasoline Plant, is required in order to provide adequate steam capacity to permit more efficient operation of the plant. Major facility (d), the installation of a 400 BHP Compressor Unit at McSpadden Station is necessary to provide a standby unit at this station in order to prevent curtailment of firm load on the system in the event of failure of one of the present units during winter peak load periods.

No new sources of supply are contemplated as a result of the installation and operation of the proposed facilities.

Applicant further states that it does not propose to serve new markets.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, and if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to said application of West Texas Gas Company should, on or before the 5th day of June, 1946, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-8650; Filed, May 22, 1946;  
11:44 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

[S. O. 515]

##### UNLOADING OF COMMODITIES AT BELOIT, WIS.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of May A. D. 1946.

It appearing, that numerous cars containing various commodities at Beloit, Wisconsin, on the Chicago and North Western Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: It is ordered, that:

*Commodities at Beloit, Wisconsin, on C. & N. W. Ry., be unloaded.* (a) The Chicago and North Western Railway Company, its agents or employees, shall unload forthwith the following cars containing various commodities, on hand at Beloit, Wisconsin, consigned to Fairbanks-Morse Company, Beloit, Wisconsin:

Initial and No.	Contents
C&NW 63960	Excelsior.
PKY 91534	Loco. wheels.
PRR 356974	Car couplers.
CRP 1743	Stl. beams.
PRR 556942	Shooks.
C&NW 41488	Merchandise.
UP 182207	Sheet steel.
C&NW 102278	Merchandise.
C&NW 144224	Do.
NYC 123524	Stl. sheets.
GMO 55434	Stl. billets.
C&NW 111614	Steel.
C&NW 47343	Crane triple-load.
C&NW 47223	
C&NW 47185	

Initial and No.	Contents
PRR 324404	Merchandise.
PRR 122427	Lumber.
Sou 164720	Do.
PRR 355418	Billets.
NYC 113999	Merchandise.
ERIE 70172	Do.
ITC 8137	Lumber.
PRR 83502	Brakes.
PRR 380877	Wheels.
CRIP 926	Stl. beams.
DLW 46432	Stl. sheets.
PRR 92271	Steel.
C&NW 139606	Merchandise.
CMO 33488	Do.
C&NW 79000	Do.
C&NW 47984	Do.
DLW 43506	Steel.

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15(2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Chicago and North Western Railway Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-8550; Filed, May 21, 1946;  
1:50 p. m.]

[S. O. 516]

##### UNLOADING OF COMMODITIES AT BELOIT, WIS.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of May A. D. 1946.

It appearing, that numerous cars containing various commodities at Beloit, Wisconsin, on the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

*Commodities at Beloit, Wisconsin on C., M., St. P. & P. RR., be unloaded.* The Chicago, Milwaukee, St. Paul, and Pacific Railroad Company its agents or employees, shall unload forthwith the following cars on hand at Beloit, Wisconsin, consigned Fairbanks-Morse Company, Beloit, Wisconsin:



Initial and No.	Contents
CMO 32690	Steel.
NKP 70100	Billets.
MILW 503425	Merchandise.
NKP 16469	Brake equip.
PRR 562298	Steel.
ERIE 79011	Do.
NYC 624864	Billets.
SFe 120563	Steel.
SFe 7971	Do.
MILW 705170	Do.
PRR 337771	Machinery.
MILW 88852	Merchandise.
PLE 40112	Frames.
NYC 666398	Steel.
PRR 822336	Frames.
PRR 121142	Steel.
PRR 42769	Do.
CBQ 120746	Do.
PRR 46887	Do.
MILW 705117	Do.
CRIP 46328	Do.
PRR 517659	Brake equip.
MK&T 80305	Steel.
DTI 17331	Do.

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

*It is further ordered.* That this order shall become effective immediately; that a copy of this order and direction shall be served upon the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-8551; Filed, May 21, 1946;  
1:50 p. m.]

[No. 29543]

# APPLIANCES, METHODS, AND SYSTEMS INTENDED TO PROMOTE SAFETY OF RAIL- ROAD OPERATION

## ORDER FOR INVESTIGATION

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 20th day of May A. D. 1946.

The Commission having under consideration the safety of railroad train operation, and good cause appearing therefor:

*It is ordered.* That an investigation be, and it is hereby, instituted by the Commission, on its own motion, to determine whether it is necessary, in the public interest, to require any respondent to install block signal system, interlocking, automatic train stop, train control and/or cab-signal devices, and/or other

similar appliances, methods, and systems intended to promote the safety of railroad operation, upon the whole or any part of its railroad on which any train is operated at a speed of 50 or more miles per hour.

*It is further ordered.* That an investigation be, and it is hereby, instituted to determine whether the definitions included in the Rules, Standards and Instructions prescribed by the Commission's order of April 13, 1939, pursuant to the provisions of Section 26 (now Section 25) of the Interstate Commerce Act, should be amended to include a revised definition of the term "medium speed", and a definition of the term "low (restricted) speed."

*It is further ordered.* That all Class I and all switching and terminal railroads subject to the Interstate Commerce Act be, and they are hereby, made respondents to this proceeding; that a copy of this order be served on each said respondent and on each national organization of railroad employees, and that notice be given the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

*And it is further ordered.* That this proceeding be assigned for hearing at such times and places as the Commission may hereafter direct.

By the Commission.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-8580; Filed May 22, 1946;  
11:10 a. m.]

[S. O. 422, Amended Special Permit 10]

## UNLOADING OF BOX CARS AT ROSCOE, S. DAK.

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 422 (11 F.R. 250), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 422 insofar as it applies to four cars held at Roscoe, South Dakota, by the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, loaded with Company material.

This permit shall expire at 12:01 a. m., June 20, 1946.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of May, 1946.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 46-8581; Filed, May 22, 1946;  
11:10 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[Rev. SO 119, Order 215]

H. H. ROBERTSON Co.

### ADJUSTMENT OF MAXIMUM PRICES

Order No. 215 under Revised Supplementary Order 119. Adjustment of maximum prices for copper and galvanized trim skylights and sashes manufactured by the H. H. Robertson Company, Ambridge, Pennsylvania. Docket No. 6123-SO 119-80.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for The H. H. Robertson Company, Ambridge, Pennsylvania.* (1) The above manufacturer may determine his maximum prices for his line of copper and galvanized trim skylights and sashes by increasing by 8.5 percent his prices on these items in effect on October 1, 1941, to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941, plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 215 under Revised Supplementary Order No. 119 authorizes an 8.5 percent increase in October 1, 1941, net prices for sales of copper and galvanized trim skylights and sashes manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 215.

(d) All prayers for relief not granted herein are denied.



(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective May 22, 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8529; Filed, May 21, 1946;  
11:31 a. m.]

[Rev. SO 119, Order 216]

ROBERT W. IRWIN CO.

#### ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* Robert W. Irwin Company, 23 Summer Avenue, N. W., Grand Rapids, Michigan, may compute its adjusted ceiling prices for all articles of wood household furniture which it manufactures, as follows:

(1) For an article in its line during October 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser increased by 22.7 percent.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by the percentage determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(4) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Resellers' ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

(1) A retailer who must determine his ceiling price under Maximum Price Regulation No. 580 and a wholesaler who must determine his ceiling price under Maximum Price Regulation No. 580, shall calculate their ceiling prices in the manner provided by those regulations. However, if the supplier's invoice states both an "unadjusted maximum price" and a selling price, the reseller shall compute his ceiling prices under those regulations as they have been modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

(2) A reseller who determines his maximum resale price under the General Maximum Price Regulation, and whose supplier's invoice states both an "unadjusted maximum price" and a selling price, shall compute his ceiling prices under that regulation as modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

If his supplier's invoice does not state an "unadjusted maximum price" the reseller shall calculate his ceiling price by adding to his invoice cost the same percentage mark-up which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose, the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of article to which, according to customary trade practices, an approximately uniform percentage mark-up is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(3) The provisions of Supplementary Order No. 153 shall not apply to the determination of ceiling prices for resales of articles covered by this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or thereafter, properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form.

(e) All requests for adjustment of maximum prices not specifically granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 22, 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8530; Filed, May 21, 1946;  
11:31 a. m.]

[Rev. SO 119, Order 217]

THE WAGNER AWNING AND MFG. CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) (1) The Wagner Awning and Manufacturing Company, 2658 Scranton Road, Cleveland, Ohio, may increase its properly established maximum prices for sales of awnings by the appropriate one of the following percentages:

	Percent
(i) For sales to consumers.....	15.7
(ii) For sales to all persons except consumers .....	26.9

(2) In all other respects, the provisions of Order No. 13 under § 1499.159e of Maximum Price Regulation No. 188 shall apply to all sales and deliveries of awnings manufactured by The Wagner Awning and Manufacturing Company.

(b) The provisions of Supplementary Order No. 153 shall not apply to sales of articles covered by this order.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on May 22, 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8531; Filed, May 21, 1946;  
11:32 a. m.]

[Rev. SO 119, Order 218]

MIDWEST FURNITURE CO.

#### ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* Midwest Furniture Company, Sheboygan, Wisconsin, may compute its adjusted ceiling prices for all articles of upholstered furniture in its line of Rocking-Eez rocking chairs which it manufactures, as follows:

(1) For an article in its line during October 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser increased by 22.6 percent.

(2) For an article not in its line during October 1941, but which has a properly established ceiling price, in effect before the effective date of this order,



the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by the percentage determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(4) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Reseller's ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

(1) A retailer who must determine his ceiling price under Maximum Price Regulation No. 580, and a wholesaler who must determine his ceiling price under Maximum Price Regulation No. 590, shall compute their ceiling prices in the manner provided by those regulations. However, if the supplier's invoice states both an "unadjusted maximum price" and a ceiling price, the reseller shall compute his ceiling prices under those regulations as they have been modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

(2) A reseller who determines his maximum resale price under the General Maximum Price Regulation, and whose supplier's invoice states both an "unadjusted maximum price" and a selling price, shall compute his ceiling prices under that regulation as modified by Order No. 4800 under § 1499.159b of Maximum Price Regulation No. 188.

If his supplier's invoice does not state an "unadjusted maximum price", the reseller shall calculate his ceiling price by adding to his invoice cost the same percentage mark-up which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose, the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of article to which, according to customary trade practices, an approximately uniform percentage mark-up is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for

by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(3) The provisions of Supplementary Order No. 153 shall not apply to the determination of ceiling prices for resales of articles covered by this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or thereafter, properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) All requests for adjustment of maximum prices not specifically granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of May 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8532; Filed, May 21, 1946;  
11:32 a. m.]

[Rev. SO 119, Order 219]

ANCHOR SUPPLY CO., INC.

#### ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* Anchor Supply Company, Inc., of 121 N. W. Riverside Drive, Evansville 3, Ind., may compute its adjusted ceiling prices for all articles in its product line of venetian blinds, which it manufactures, as follows:

(1) For an article in its line during June 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser increased by 23 percent.

(2) For an article not in its line during June 1941, but which has a properly established ceiling price, in effect before the effective date of this order, the adjusted ceiling price is the article's properly established ceiling price for the particular sale (exclusive of all permitted

increases or adjustment charges) increased by the percentage determined in accordance with "Note 3" in section 8 of Revised Supplementary Order No. 119.

(3) For an article which is first offered for sale after the effective date of this order, the adjusted ceiling price is the maximum price hereafter properly determined or established in accordance with Maximum Price Regulation No. 188; and prices so fixed may not be increased under this order.

(4) The manufacturer's adjusted ceiling price fixed in accordance with this order is his new ceiling price if it is higher than his previously established ceiling price including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Reseller's ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows: A reseller shall calculate his ceiling price by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplies.

(iii) Both it and the article being priced belong to a class of article to which according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or thereafter properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resales of the



article. This notice may be given in any convenient form.

(e) All requests for adjustments of maximum prices not specifically granted by this order are hereby denied. Such requests may, however, be granted under the provisions of another order.

(f) The provisions of Supplementary Order No. 153 shall not apply to maximum prices for sales of any of the articles covered by this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

(h) *Effective date.* This order shall become effective on the 22d day of May 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8533; Filed, May 21, 1946;  
11:32 a. m.]

[MPR 120, Order 1668]

HAMILTON COAL CO. ET AL

#### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

HAMILTON COAL CO., 305 22ND ST., S. E., CHARLESTON, W. VA., BLAKELEY MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7728, KANAWHA COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, BLAKELEY, W. VA., F. O. G. 127, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21	
Price classification.....	Q	Q	Q	Q	P	P	O	M	K	M	F	M	M	M		
Rail shipment.....	345	340	335	335	320	315	310	310	305	355	310	280	275	270		
Railroad fuel.....	345	340	335	335	325	325	325	325	325	355	310	280	275	270		
Truck shipment.....	405	385	355	365	335	320	275	270								

O. A. HOLLINGSWORTH, JULIAN, W. VA., O. A. HOLLINGSWORTH MINE, CEDAR GROVE SEAM, MINE INDEX NO. 7727, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, ROCK CREEK, W. VA., F. O. G. 123, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	M	M	M	M	L	L	K	H	F	H	C	F	F	F	
Price classification.....	M	M	M	M	L	L	K	H	F	H	C	F	F	F	
Rail shipment.....	365	365	360	360	335	335	325	320	320	355	315	310	305	305	
Railroad fuel.....	365	365	360	360	335	335	325	325	325	355	315	310	305	305	
Truck shipment.....	395	375	350	350	335	310	275	270							

W. M. STEWART, HIRAM, KY., STEWART MINE, A SEAM, MINE INDEX NO. 7723, HARRIS COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT, DIONE, KY., F. O. G. 80, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	L	L	L	L	H	H	G	F	D	D	G	F	F	F	
Price classification.....	L	L	L	L	H	H	G	F	D	D	G	F	F	F	
Rail shipments and railroad fuel.....	365	365	360	360	360	350	330	330	330	385	315	310	305	305	
Truck shipment.....	395	375	350	350	335	310	275	270							

This order shall become effective May 22, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8518; Filed, May 21, 1946;  
11:33 a. m.]

[Rev. SO 119, Order 220]

MURRAY CORP. OF AMERICA

#### ADJUSTMENT OF MAXIMUM PRICES

Order No. 220 under Revised Supplementary Order 119. Adjustment of max-

imum prices for sales of sinks, tubs and lavatories manufactured by the Murray Corporation of America, Detroit, Michigan. Docket No. 6123—SO 119-88.

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel, are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

imum prices for sales of sinks, tubs and lavatories manufactured by the Murray Corporation of America, Detroit, Michigan. Docket No. 6123—SO 119-88.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for The Murray Corporation of America, Detroit, Michigan.* (1) The above manufacturer may determine his maximum prices for his line of sinks, tubs and lavatories by increasing by 17 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly es-

established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 220 under Revised Supplementary Order No. 119 authorizes a 17 percent increase in October 1, 1941 net prices for sales of sinks, tubs and lavatories manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 220.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective May 22, 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8534; Filed, May 21, 1946;  
11:32 a. m.]

[MPR 188, Rev. Order 4809]

LUMINANT MFG. CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered: Order No. 4809 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Luminant Manufacturing Company, 154 Ludlow Street, New York, New York.



(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
15" Vanity Lamp with No Shade	#100 and 200 VL	\$1.53	\$1.80	\$3.25

These maximum prices are for the articles described in the manufacturer's application dated April 19, 1946.

(2) For sales by all persons the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this revised order shall be established under the provisions of section 4.5 of SR 14J.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This revised order shall become effective on the 22d day of May 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8520; Filed, May 21, 1946;  
11:33 a. m.]

[MPR 591, Order 512]

NASH-KELVINATOR CORP.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; It is ordered:

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following condensing unit manufactured by the Nash-Kelvinator Corporation, Detroit, Michigan, and as described in the application dated April 26, 1946, which is on file with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
Model S-12	\$43.50	\$51.16	\$116.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The Nash-Kelvinator Corporation of Detroit, Michigan shall stencil on the inside of lid or cover of the condensing unit covered by this order, substantially the following:

OPA Maximum Retail Price \$116.00

Plus freight and crating as provided in Order No. 512 under Maximum Price Regulation No. 501.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 22, 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8525; Filed, May 21, 1946;  
11:34 a. m.]

[MPR 591, Order 513]

FRED T. KITT

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, It is ordered:

(a) The maximum prices for sales by any person of the following water softeners manufactured by Fred T. Kitt of Santa Monica, California and described in his application dated February 27, 1946, shall be:

37,500 grain single tank water softener, chrome plated solo valve, baked enamel finish	\$195
37,500 grain single tank water softener, solo valve not chrome plated, paint finish	165

(b) The maximum net prices, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum prices specified in (a) above less a discount of 40 percent.

(c) The maximum net prices, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum prices specified in (a) above less successive discounts of 40 and 20 percent.

(d) The maximum prices established by this order are subject to such cash discounts, transportation allowances and price differentials at least as favorable as those which you extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(g) Fred T. Kitt shall attach to each water softener covered by this order a tag containing the following:

OPA Maximum Retail Price—\$-----  
(Do Not Detach)

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 22, 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8526; Filed, May 21, 1946;  
11:34 a. m.]

[MPR 591, Order 511]

MILCOR STEEL CO.

#### ADJUSTMENT OF MAXIMUM PRICES

Order No. 511 under section 16 (b) (1) under Maximum Price Regulation



No. 591. Adjustment of maximum prices for sales of miscellaneous cast and sheet metal building materials, covered by Maximum Price Regulation No. 591, manufactured by the Milcor Steel Company of Milwaukee, Wisconsin. Docket No. 6123-591.16-106.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 (b) (1) of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for the Milcor Steel Company of Milwaukee, Wisconsin.* (1) The Milcor Steel Company of Milwaukee, Wisconsin may increase by 8.6 percent its properly established maximum net prices in effect on May 21, 1946, to each class of purchaser for its line of cast and sheet metal building materials, as covered by Maximum Price Regulation No. 591.

(2) The maximum net prices set forth in (a) (1) above are subject to discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which the Milcor Steel Company extended or rendered or would have extended or rendered to each class of purchaser during March 1942 on comparable sales of cast and sheet metal building materials.

(b) *Maximum prices for resellers.* (1) All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their properly established maximum prices in effect on May 21, 1946, the actual dollars-and-cents increase in acquisition cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The Milcor Steel Company shall send the following notice to every purchaser of the commodities covered by the order at or before the first invoice after the effective date of this order.

Order No. 511 under section 16 (b) (1) of Maximum Price Regulation No. 591 provides for an 8.6 percent increase in maximum net prices in effect on May 21, 1946 for sales by the Milcor Steel Company for its line of cast and sheet metal building materials covered by Maximum Price Regulation 591.

Resellers (but not manufacturers who purchase items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 511.

(d) All prayers of the application of the Milcor Steel Company of Milwaukee, Wisconsin, not herein granted are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective May 22, 1946.

Issued this 21st day of May 1946,

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8524; Filed, May 21, 1946; 11:34 a. m.]

[MPR 591, Order 514]

F. S. ZUCH AND CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, it is ordered:

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person to jobbers of the following toilet seat manufactured by F. S. Zuch and Company, 401 Broadway, New York, New York, and as described in the application dated March 1, 1946, shall be:

Model 201A Toilet Seat with Cover,  
Wood, White, Chrome Hinges----- \$2.04

(b) The maximum net prices, f. o. b. point of shipment, for sales by any person to retailers of the following toilet seat manufactured by F. S. Zuch and Company, New York, New York, shall be:

Model 201A Toilet Seat with Cover,  
Wood, White, Chrome Hinge----- \$2.55

(c) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) The maximum prices on an installed basis of the commodity covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) Each seller covered by this order shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for his sales to such purchasers as well as the maximum prices established for purchasers upon resale.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 22, 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8527; Filed, May 21, 1946; 11:35 a. m.]

[MPR 592, Order 35]

HOCKING VALLEY BRICK CO.

#### APPROVAL OF MAXIMUM PRICES

Order No. 35 under section 16 of Maximum Price Regulation 592. Hocking Valley Brick Company. Docket No. 6122-592.16-197.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, it is ordered:

(a) The maximum net prices for sales by the Hocking Valley Brick Company, Columbus, Ohio, of clay building brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$1.75 per thousand for standard size brick equivalents or by an amount not in excess of \$0.70 per ton for structural hollow tile.

(b) If the Hocking Valley Brick Company had an established differential in price during the month of March 1942 for nonstandard sizes of brick, it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Hocking Valley Brick Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 35 shall become effective May 22, 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8528; Filed, May 21, 1946; 11:35 a. m.]

[MPR 188, Order 16]

#### BICYCLES

##### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159e of Maximum Price Regulation No. 188, it is ordered:

SECTION 1. *Purpose of this order.* Bicycles have been found to be a reconversion product in accordance with the standards set forth in § 1499.159e of Maximum Price Regulation 188. This order is issued under that section and fixes new ceiling prices for sales by manufacturers (other than to ultimate consumers) by permitting them to increase their prices for bicycles, bicycle parts and accessories in effect between October 1 and October 15, 1941, or established under certain provisions of MPR 188, by a specified price increase factor.

SEC. 2. *Articles and persons covered.* (a) This order applies to sales of bicycles by manufacturers, distributors and dealers. For the purpose of this order "bicycles" means two-wheeled, pedal-oper-



ated vehicles having wheels 20 inches or larger in diameter, including special-frame delivery bicycles and folding bicycles. Manufacturers' ceiling prices for replacement parts and original equipment and accessories of the types regularly sold with bicycles when sold by a bicycle manufacturer, are also adjusted. This order does not cover children's bicycles with wheels smaller than 20 inches in diameter and other items of children's wheeled goods covered by Order No. 4 under § 1499.159e of Maximum Price Regulation No. 188. Used bicycles, imported bicycles, those made chiefly from imported parts and war bicycles covered by Order 3145 under MPR 188 and MPR 158 are also excluded from the coverage of this order:

(b) As used in this order the term:

(1) "Manufacturer" means the person who makes the first sale of a completed bicycle, that is, the first person having title to a completed bicycle after it has been fabricated, and is ready for use, regardless of whether or not he has fabricated it. An assembler of bicycles purchased knocked-down from a manufacturer is not considered to be a manufacturer.

(2) "Mail order house" means an establishment selling at retail, which as a separate operating unit, makes offerings through catalogs or printed price lists, receives orders by mail, and makes deliveries by mail, railway, express or other common carrier.

(3) "Chain store" means a retail store which is one of a group of ten or more retail stores under common ownership or control, which as a group had combined sales of over \$1,000,000 for the year 1944.

(4) "Mid-west zone" means the states of Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Nebraska, North Dakota, Oklahoma, South Dakota and all counties in Texas other than El Paso, Hudspeth, Culberson, Jefferson Davis, Presidio, Brewster, Terrell, Pecos, Reeves.

(5) "Far-west zone" means the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jefferson Davis, Presidio, Brewster, Terrell, Pecos, Reeves.

(6) "Manufacturers' price" for the purpose of calculating resellers' ceiling prices for sales of bicycles means his adjusted ceiling price, f. o. b. factory, as provided in section 3 of this order, to the designated class of purchaser, or his selling price to that class of purchaser, if it is lower than the adjusted ceiling price.

**Sec. 3. Bicycle manufacturers' ceiling prices.** (a) A bicycle manufacturers' ceiling price for a sale of a bicycle, bicycle part, or accessory to each class of purchaser, other than ultimate consumers, is the highest of the applicable of the following:

(1) 118% of his highest price to each class of purchaser in effect between October 1 and October 15, 1941.

(2) 110% of the highest price at which he delivered or offered the article for delivery during March 1942, to each class of purchaser in the case of an article

which was not sold or offered for sale between October 1, and October 15, 1941.

(3) 118% of his ceiling price to each class of purchaser established under the provisions of the First, Second or Third Pricing Methods of MPR 188, provided that price was based on maximum prices of comparable articles which were no higher than the October 1 to October 15, 1941 prices, or 110% of his ceiling price so established when that price was based on maximum prices of comparable articles which were higher than their October 1 to October 15, 1941 prices.

(4) 110% of his ceiling price to each class of purchaser established under the provisions of the Fourth Pricing Method (§ 1499.158) or under § 1499.159c of MPR 188.

(5) His adjusted ceiling price to each class of purchaser established under the provisions of Supplementary Orders 118, 133, 148 or Revised Supplementary Order 119.

(b) Orders may be issued under this section denying a manufacturer permission to sell at prices adjusted by all or part of the increases authorized by this section when it appears that the manufacturer has discontinued or will discontinue production of his low-priced articles or will decrease the proportions of low-priced to high-priced articles which he manufactures, so that his present or prospective production is not representative of his sales between October 1 and October 15, 1941. The average price at which the manufacturer's products will be sold will be considered in determining how much, if any, of the increases will be granted to such a manufacturer.

**Sec. 4. Retail ceiling prices.** This section provides for the determination of retail ceiling prices of bicycles covered by this order. Manufacturers, except in the case of bicycles sold only to another manufacturer, are required to calculate the retail ceiling prices of their products in accordance with the provisions of this section, and are required to comply with the tagging provisions of section 7 of this order.

(a) The retail ceiling prices of a bicycle sold by the following classes of sellers shall be:

(1) 155% of the "manufacturer's price" to the class of distributor for sales to which he has the highest ceiling price when sold by dealers other than "mail order houses" or "chain stores".

(2) The higher of 145% of the "manufacturers' price" to the seller, or the price determined as in (1) above less 7% when sold by a "chain store" or other direct buyer except a "mail order house."

(3) 135% of the "manufacturer's price" to the mail order house when sold by a mail order house.

(b) The retail ceiling prices are for sales in all areas except the Mid-west and Far-west zones. The following differentials may be added to those retail ceiling prices when sold by a retailer in the Mid-west or Far-west zone:

(1) 3% of the retail price for sales in the Mid-west zone.

(2) 6% of the retail price for sales in the Far-west zone.

**Sec. 5. Distributor's ceiling prices.** Manufacturers, except in the case of bi-

cycles sold only to another manufacturer or directly to mail order houses, chain stores, or dealers, are required to calculate distributors' ceiling prices in accordance with this section:

(a) A distributor's ceiling price for the sale of a bicycle to a dealer is the retail price of that bicycle in the zone in which the distributor is located less 25%.

**Sec. 6. Resellers' terms and discounts.**

(a) Resellers' ceiling prices fixed by this section are subject to his cash discounts, delivery terms, allowances and other price differentials which he had in effect during March 1942, or which have been established under applicable OPA regulations.

(b) A reseller who did not sell articles covered by this order during March 1942, shall allow the same cash discounts, delivery terms, allowances and other price differentials which his closest competitive seller who did sell articles covered by this order during March 1942, is required to allow in accordance with the provisions of this order.

(c) A reseller who cannot ascertain his ceiling prices or the cash discounts, delivery terms, etc., which his nearest competitor is required to allow, shall apply to the nearest District Office of the Office of Price Administration for an order under this section establishing the ceiling prices or the conditions to which his ceiling prices are subject. Such application may be by letter and shall state the type of business he is operating (distributor, dealer), when he started to sell articles covered by this order and the class of purchasers to whom he sells. An order will be issued under this section establishing ceiling prices or terms, allowances and other price differentials and conditions of sale in line with the conditions of sale generally fixed by this order.

(d) If a reseller who did not sell articles covered by this order during March 1942 does not allow the same discounts, delivery terms and other price differentials allowed by his nearest competitor who did sell articles covered by this order during March 1942, or who does not file an application in accordance with the provisions of this section, or if he fails to provide any of the information required by this section, the Price Administrator may, on his own motion, issue orders under this section fixing ceiling prices, discounts, allowances and other price differentials in line with such ceiling prices and conditions of sale fixed by this order. Ceiling prices and conditions of sale so established will apply to all sales and deliveries made on and after May 21, 1946.

**Sec. 7. Retail ceiling tags.** (a) On and after June 21, 1946, unless otherwise authorized by order of the Office of Price Administration, a manufacturer may not ship to a distributor, a dealer, or a chain store, any bicycle covered by this order, unless a retail ceiling price tag or label is attached to it. That tag or label shall state: The manufacturer's name or the brand name; the model designation of the article; the retail ceiling price in each zone, and that the tag or label may not be removed before the article is delivered to the consumer.



However, a manufacturer is not required to comply with the foregoing tagging provision with respect to articles which are shipped to mail order houses (including mail order houses which also operate as any other type of retailer) or with respect to articles which are shipped for export.

(b) On and after June 21, 1946, no person may display, offer for sale, sell or deliver at retail a bicycle which is required to be tagged or labelled in accordance with the provisions of paragraph (a) of this section, except that mail order houses are not required to comply with this provision, with respect to those articles for which a price no higher than their retail ceiling price is published in their current catalog or price list.

All sellers who receive "untagged" a bicycle which the manufacturer is required to tag with the retail ceiling price, must tag it with the proper retail ceiling price before it is displayed, offered for sale, sold or delivered at retail.

**SEC. 8. Notification.** At the time of, or prior to, the first invoice to a purchaser for resale of a bicycle covered by this order, each manufacturer and distributor shall notify purchasers for resale of the ceiling prices fixed under this order for resellers. These notices may be given in any convenient form.

Section 1499.159d of Maximum Price Regulation No. 188 requires manufacturers to file with the Office of Price Administration 3 copies of each new price list or catalog which is issued to the trade. The manufacturer shall file 2 copies with the District Office of the Office of Price Administration having jurisdiction over the area in which his principal place of business is located and one copy with the Housewares and Accessories Price Branch, Office of Price Administration, Washington 25, D. C.

**SEC. 9. Division of ceiling prices by order.** Any ceiling prices reported or established under this order may at any time be disapproved or revised when it appears that those ceiling prices are not in line with the general level of ceiling prices established by this order. In such instances the Office of Price Administration may, on its own motion, issue an order under this section establishing ceiling prices in line with the general level of ceiling prices established by this order.

**SEC. 10. Credit charges on dealers' sales.** Charges for the extension of credit may be added to the retail ceiling prices established by this order or by any order issued under this order unless otherwise provided. No such credit charge may exceed that permitted by this section.

(a) Dealers who in March 1942 collected a separately stated additional charge for the extension of credit on sales of articles covered by this order may collect a charge for the extension of credit on sales under this order, not exceeding such charge in March 1942 on a similar sale on similar terms to the same class of purchaser. Dealers who did not then so state and collect a charge for the extension of credit only on installment plan sales; and the charge

shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in March 1942 by dealer's closest competitor who made such a separately stated charge.

An installment plan sale as used in the above paragraph means a sale where the unpaid balances is to be paid in installments over a period of either (1) six weeks or more from the date of sale in the case of weekly installments, or (2) eight weeks or more in the case of other than weekly installments.

(b) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately or which otherwise does not conform to this section, shall for the purpose of this order, be considered to be part of the price charged for the article sold.

(c) No dealer may require as a condition of sale that the purchaser must buy on credit.

**SEC. 11. Relationship between this order and other regulations.** The provisions of this order supersede the provisions of the General Maximum Price Regulation, of Maximum Price Regulation No. 188, and of any other orders previously issued under those regulations except order No. 3145 under MPR 188 to the extent that they are inconsistent with the provisions of those regulations.

**SEC. 12. Revocation of certain ceiling prices.** Regardless of any provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 188, or any approval or order obtained or issued thereunder by the Office of Price Administration, all ceiling prices heretofore or hereafter established by any seller under those regulations or orders for sales of bicycles do not apply to any sales or deliveries made after June 21, 1946, except prices established by Order No. 3145 under MPR 188 and those manufacturers' ceiling prices continued in effect by section 3 of this order.

In addition, all resellers' ceiling prices approved or established by orders at any time under Supplementary Order No. 118, Revised Supplementary Order No. 119, Supplementary Order No. 133, Supplementary Order No. 148 or Supplementary Order 153 for sales of bicycles, shall not apply to any articles which are delivered by the manufacturer on or after May 21, 1946. Resellers' ceiling prices for such articles shall be determined in accordance with the provision of this order.

**SEC. 13. Compliance with this order—**  
(a) *No buying or selling at over ceiling prices.* Prices established by this order are ceiling prices. Prices lower than ceiling prices may be charged and collected at any time. However, regardless of any contract or other obligation, no person shall sell, offer to sell, or deliver, and in the course of trade or business, no person shall purchase or accept delivery of any article at a price higher than the ceiling price fixed by this order or before the manufacturer has properly determined his ceiling price under this order.

If, in violation of this provision, a sale, offer to sell, or delivery of any article is

made before its ceiling price has been properly established in accordance with this order, the ceiling price applicable to the sale, offer to sell, or delivery shall be the correct ceiling price for the article properly determined in accordance with this order.

(b) *Certain practices forbidden.* It shall be a violation of this order to charge a price above the applicable ceiling price in connection with any sale of an article, either alone or in conjunction with any other consideration, even though the price increase appears only indirectly.

The following is illustrative of the things a seller is not permitted to do. A seller is not permitted to require the purchaser, as a condition of the sale or transfer of a bicycle, to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts or services so as to increase the total compensation above the article's ceiling price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging, transferring, or trading in any other article. Where there is an exchange, transfer or trade-in in connection with a sale, it is a violation for the seller to give the purchaser an allowance for the article exchanged, transferred or traded-in, which is less than its reasonable value.

**SEC. 14. Definitions.** Unless otherwise defined herein or the context requires otherwise, the definitions contained in § 1499.20 of the General Maximum Price Regulation and § 1499.163 of Maximum Price Regulation No. 188, whichever is applicable, shall apply to all terms used herein.

**SEC. 15. Modification of the provisions of this order.** The provisions of this order, as applicable to articles or persons subject hereto, may be modified by orders of general applicability issued under this section.

**SEC. 16. Delegation of authority.** Any Regional Administrator or District Administrator authorized by the appropriate Regional Administrator may issue orders under section 6 of this order.

**Effective date.** This order shall become effective on the 21st day of May 1946.

**NOTE:** All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8560; Filed, May 21, 1946;  
4:29 p. m.]

[MPR 591, Amdt. 13 to Order 1]

BOILERS, BOILER REPAIR PARTS AND BOILER  
JACKETS

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.



Order No. 1 under section 22 of Maximum Price Regulation No. 591 is amended by adding a new section to read as follows:

**SEC. 9.2 Cast-iron gas fired heating boilers, cast-iron hot water supply boilers, cast iron heating boiler repair parts and boiler jackets—(a) Scope of this section.** This section applies to all manufacturers and resellers of cast-iron gas fired heating boilers, cast-iron hot water supply boilers, and cast-iron heating boiler repair parts for any heating boiler regardless of type of fuel used, and boiler jackets.

**(b) Manufacturers' maximum prices.** Notwithstanding the provisions of any other section of this regulation, manufacturers of the products set forth in (a) above may increase their October 1, 1941 maximum net prices to each class of purchaser by 27½ percent.

**(c) Optional use of this section.** Since the provisions of this section are not intended to reduce properly established maximum prices, any manufacturer whose price in effect to each class of purchaser on October 1, 1941, plus the increase provided for under (b) above is less than his maximum price properly established under Maximum Price Regulation No. 591, may continue to use as his maximum price the maximum price properly established under that regulation.

**(d) Manufacturers' increase for items not having an October 1, 1941 price.** A manufacturer may not increase his properly established maximum price for any of the commodities set forth in (b) above for which he does not have an October 1, 1941, price without specific authorization from the Office of Price Administration.

A manufacturer desiring to modify his properly established maximum price for which he does not have an October 1, 1941 price, shall file an application for such modification of his maximum price to reflect the increase obtained by other manufacturers for similar articles under (b) above, setting forth the following:

(1) Full description of the item. Cuts or detailed sketches should be supplied.  
(2) Established maximum price for the item and the section and regulation under which the maximum price was established.

(3) If possible, the names of competitors marketing similar items for which they had October 1, 1941 prices.

Such applications should be filed with the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C.

**(e) Resellers' maximum prices.** On and after May 21, 1946, the maximum price for the sale by a reseller of any cast-iron boiler covered by this regulation shall be determined by increasing his maximum price in effect to each class of purchaser on May 20, 1946, by the percentage amount by which the manufacturer of the boiler has increased his maximum price pursuant to paragraph (b) above.

**(f) Notification by manufacturer.** Any manufacturer modifying his maximum price in accordance with the provisions of this section shall notify each of his purchasers, in writing, at or before

the issuance of the first invoice at the adjusted price of either the percentage by which he has increased his net price for the commodity or of the increase in list price which remains subject to the functional discounts in effect to each class of purchaser during March 1942.

**(g) Reporting provisions; manufacturers.** Any manufacturer who increases his maximum price as permitted under this section shall within 10 days after such a price has been increased, submit to the Prefabrication and Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., a report stating the following:

(1) Plate number or other identification for each commodity whose price has been increased.

(2) Its maximum price in effect just prior to the increase authorized by this amendment.

(3) Its maximum price in accordance with this section.

(4) The percentage increase in net prices for the commodity or the new list prices and the functional discounts to each class of purchaser, whichever method used in effecting the increase pursuant to this section.

This amendment shall become effective May 21, 1946.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8561; Filed, May 21, 1946;  
4:29 p. m.]

[RMFR 86, Order 61]

EXCEL FOUNDRY AND MACHINE CO.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 9 and 14 of Revised Maximum Price Regulation No. 86; It is ordered:

(a) This order establishes ceiling prices for sales of the Model "WAE" washing machine with pump manufactured by the Excel Foundry and Machine Company of Fall River, Massachusetts. The ceiling prices established include the additional OPA industry adjustment and are not, therefore, subject to any further increase under Revised Maximum Price Regulation No. 86.

(1) The manufacturer's ceiling price for sales of the model "WAE" washing machine, with pump, to distributors is \$69.00 each. This ceiling price is f. o. b. factory.

(2) Distributors' ceiling prices for sales in each zone of the model "WAE" washing machine with pump to dealers are as follows:

Model	Ceiling price for sales to dealers—		
	Zone 1	Zone 2	Zone 3
"WAE" with pump....	\$82.66	\$86.30	\$88.30

These ceiling prices are subject to each seller's customary terms, discounts, allowances, and other price differentials in effect on sales of similar articles.

(3) The ceiling price in each zone for sales of the model "WAE" washing machine with pump by dealers to ultimate consumers is as follows:

Model	Ceiling price for sales to ultimate consumers—		
	Zone 1	Zone 2	Zone 3
"WAE" with pump....	\$124.95	\$130.75	\$133.75

These ceiling prices are subject to each seller's customary terms, discounts, allowances and other price differential in effect on sales of similar articles.

(b) For purposes of this order Zones 1, 2 and 3 comprise the following states:

Zone 1. Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, Kentucky, Ohio, Michigan, Indiana, Wisconsin, Illinois, and the District of Columbia.

Zone 2. North Dakota, Minnesota, South Dakota, Nebraska, Iowa, Kansas, Missouri, Arkansas, Tennessee, Mississippi, Alabama, South Carolina, Florida, Louisiana, Georgia.

Zone 3. Montana, Wyoming, Colorado, Oklahoma, Texas, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, California, Nevada.

(c) At the time of, or prior to the first invoice to each distributor the manufacturer shall notify him of the ceiling prices established by this order for resales by distributors. This notice may be given in any convenient form.

(d) All the provisions of Revised Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines covered by this order, except to the extent that those provisions are modified by this order.

(e) Unless the context requires otherwise, the definitions set forth in the various sections of Revised Maximum Price Regulation No. 86 shall apply to the terms used herein.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective May 21, 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8559; Filed, May 21, 1946;  
4:29 p. m.]

[MPR 599, Order 19]

GENERAL MOTORS CORP.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 599, It is ordered:

(a) This order establishes ceiling prices for sales of automobile radios sold by the Chevrolet Motor Division of Gen-



eral Motors Corporation which are designed to be installed in motor cars of its manufacture.

(b) The ceiling prices for sales by the Chevrolet Motor Division of General Motors Corporation and its dealers of the radios listed below, are the prices set forth opposite each radio for sales to each class of purchaser under the terms and conditions of sale specified.

Article	Model No.	Ceiling prices for sales to—	
		Dealers	Consumers
Radio.....	985792 985986	\$18.77 37.21	\$25.61 60.67

These ceiling prices are subject to the same terms and conditions of sale including provision for transportation charges to which ceiling prices of extra or optional equipment or accessories sold by the Chevrolet Motor Division of General Motors Corporation, are subject under the provisions of Maximum Price Regulation 594 and 453 and orders thereunder. If these regulations or orders do not expressly cover a particular type of sale, these ceiling prices are subject to the seller's customary terms, discounts, allowances and other price differentials for such a sale. These ceiling prices apply only to sales of these radios on an uninstalled basis and do not include the prices of any antenna.

(c) The ceiling prices fixed by this order are exclusive of Federal excise taxes. In addition to these ceiling prices each seller may collect the amount of the Federal excise taxes. State and local taxes may also be collected.

(d) Sellers of the radios covered by this order are not required to comply with the tagging requirements of Maximum Price Regulation No. 599, but at the time of or prior to the first invoice to a purchaser for resale of such radio the Chevrolet Motor Division of General Motors Corporation shall notify the purchaser of the ceiling prices, terms and conditions of sale established by this order.

(e) *Description.* (1) Radio, Model No. 985792 is a 5 tube, 1 band, battery power radio with a 5 inch Electric Magnetic Speaker, all in a steel case, 5½" x 6¾" x 11", designed for installation in an automobile manufactured by the Chevrolet Motor Division of General Motors Corporation.

(2) Radio, Model No. 985986 is a 7 tube, 1 band, battery power radio with a 6" x 9" Electric Magnetic Speaker, all in a steel case, 9½" x 9½" x 11", designed for installation in an automobile manufactured by the Chevrolet Motor Division of General Motors Corporation.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of May 1946.

Issued this 21st day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8562; Filed, May 21, 1946; 4:29 p. m.]

[RMPR 165, Order 1 to Supp. Service Reg. 49]

#### AUTOMOTIVE SERVICES

##### ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.682 (i) of Supplementary Service Regulation No. 49 to RMPR 165, it is ordered:

(a) *What this order does.* This order authorizes sellers of automotive services subject to SSR 49 to establish their maximum service charges by multiplying their own maximum customer's hourly rate by the applicable labor times specified in the respective manuals or labor schedules set out in paragraph (b) hereof; *Provided*, That such sellers meet and comply with each and every condition specified in the "Notice" which is set out in full in Appendices A, B and C of this order. No manual or labor schedule shall be authorized for use under this order unless the "Notice" appears on the front page of such publication.

(b) *Manuals or labor schedules affected.* The manuals or labor schedules referred to in paragraph (a) are as follows:

1. Motor's Factory Flat Rate and Shop Manual, 1946 edition.
2. Chilton Flat Rate and Service Manual, 1946 edition.
3. Sectional Panel Flat Rate Supplement to the 1942 Chevrolet, Pontiac, Oldsmobile, Buick and Cadillac Service Flat Rate Manuals.

(c) Any seller of automotive services who is qualified to use any of the manuals or labor schedules specified in this order and elects to do so, must within 10 days of making such an election notify his local Price Board to that effect. Once a seller has made an election to use a particular manual or labor schedule, he must thereafter continue to use it for all services covered therein.

#### APPENDIX A

This is the "Notice" for Motor's Factory Flat Rate and Shop Manual, 1946 edition:

##### NOTICE

You are authorized by OPA to use this manual to arrive at your maximum labor charge for a given job.

IF—

(1) you use the conversion table on pages 708 and 709 and reduce the price listed here for that job to one based upon your own authorized customer's hourly rate if below \$3.00,

and

(2) your present legal ceiling for that job is not a "fixed charge" which is lower than the price set for you by this Manual. (A fixed charge is a charge not computed on the basis of an hourly rate. Examples: Relining brakes on 1941 Blank Cars, \$----- Quick tune-up, all Blank Models, \$-----)

and

(3) on a towing charge, your present ceiling price is not lower than the price set for you by the use of the suggested schedule of towing prices on page 707 of this Manual,

and

(4) the supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your local Price Control Board in accordance with section 14 of RMPR 165 your intention to use all or any part of this Manual for pricing purposes.)

Important. In case of any doubt about your ceiling prices, always consult your local OPA office.

#### APPENDIX B

This is the "Notice" for Chilton Flat Rate and Service Manual, 1946 edition:

##### NOTICE

Practically every automotive repair shop is covered by the provisions of OPA Regulation SSR 49, and must make a choice as to whether it will price under Appendix A or Appendix B of that regulation. If you have elected to price under Appendix A, you may not, by the use of this manual or otherwise, charge more for one of the 56 operations there listed, than the ceiling price established for you.

With this important exception you are authorized by OPA to use this manual to arrive at your labor charges for a given job.

IF—

(1) you use the conversion table on last page and reduce the price listed here for that job to one based upon your own authorized customer's hourly rate if below \$3.00;

and

(2) you are now legally pricing that job by the use of a Chilton Manual, or on the basis of the mechanics actual time on the job;

and

(3) your present ceiling for that job is not a "fixed charge" which is lower than the price set for you by this Manual. (A "fixed charge" is a charge not computed on the basis of an hourly rate. Examples: Relining brakes on 1941 Blank Cars, \$xxx. Quick tune-up, all Blank Models, \$xxx.)

and

(4) the supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your local Price Control Board in accordance with section 14 of RMPR 165 your intention to use all or any part of this Manual for pricing purposes.)

Important. In case of any doubt about your ceiling prices, always consult your local OPA Office.

#### APPENDIX C

This is the "Notice" for Sectional Panel Flat Rate Supplement to the 1942 Chevrolet, Pontiac, Oldsmobile, Buick, and Cadillac Flat Rate Manuals:

##### NOTICE

You are authorized by OPA to use this manual to arrive at your maximum labor charge for a given job.

IF—

(1) your present legal ceiling for that job is not a "fixed charge" which is lower than the price set for you by this Manual. (A fixed charge is a charge not computed on the basis of an hourly rate. Examples: Relining brakes on 1941 Blank Cars, \$xxx. Quick tune-up, all Blank Models, \$xxx.)

and

(2) the supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your local Price Control Board in accordance with section 14 of RMPR 165 your intention to use all or any part of this Manual for pricing purposes.)

Important. In case of any doubt about your ceiling prices, always consult your local OPA office.

This order shall become effective on the 27th day of May 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8600; Filed, May 22, 1946; 11:20 a. m.]



[RMPR 528, Order 110]

## FIRESTONE TIRE AND RUBBER CO.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes and types of new tires manufactured by The Firestone Tire & Rubber Company, Akron, Ohio, shall be:

Size	Ply	Type	Maximum retail price, each
10.00-24...	14	Rock grip excavator tire...	\$136.70
21.00-24...	24	do.	871.30
12.00-24...	16	All traction logger tire...	210.55
21.00-25...	24	Ground grip type G tire...	828.55
14.00-24...	10	Swamp buggy tire...	179.80

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective May 23, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8619; Filed, May 22, 1946;  
11:25 a. m.]

[RMPR 528, Order 111]

## FIRESTONE TIRE AND RUBBER CO.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for sales of the following obsolete sizes of new synthetic rubber passenger car tires and tubes manufactured by The Firestone Tire and Rubber Company, Akron, Ohio, shall be:

## Passenger Car Tires and Tubes

Size	Ply	Tread Design	Maximum retail price, each	
			Tire	Tube
28 x 3 Cl.	4	Cross and square motorcycle tread.	\$10.00	\$2.00
30 x 3	4	Cross and square passenger car tread.	10.00	2.00
30 x 3 1/2 Ex. Cl.	4	Nonskid.	12.00	-----
32 x 4 SS.	4	do.	15.00	2.25
34 x 4	4	do.	15.00	2.25
34 x 4 1/2	6	do.	18.00	2.50
36 x 4 1/2	6	do.	18.00	2.50
33 x 5	6	do.	20.00	2.75

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

No. 101—4

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective May 23, 1946.

Issued this 22d day of May 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-8620; Filed, May 22, 1946;  
11:25 a. m.]

## Regional and District Office Orders.

[Region VI Order G-32 Under RMPR 122]

## SOLID FUEL IN CHICAGO REGION

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and for reasons stated in an opinion issued herewith, *It is ordered:*

(a) *What this order does.* This order continues in effect the 10¢ per net ton increase which is now established under the area pricing orders of Region VI of the Office of Price Administration issued under § 1340.260 of Revised Maximum Price Regulation No. 122 for delivered sales of solid fuel to persons other than resellers, and authorizes dealers to increase by 10¢ per ton their maximum prices for sales f. o. b. seller's facilities in less than railroad carlots to persons other than resellers.

(b) *Geographical applicability.* This order applies to all sales of solid fuels by dealers for delivery in less than railroad carlots to persons other than resellers within the areas covered by each area pricing order in Region VI, issued under § 1340.260 of Revised Maximum Price Regulation No. 122 which includes the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Lake County, Indiana.

(c) *Price adjustments.* On all sales of solid fuel f. o. b. seller's facilities in less than railroad carlots to persons other than resellers, who are governed by maximum prices established by Region VI Orders Nos. G-1 to G-16 inclusive under Revised Maximum Price Regulation No. 122, and the appendix thereto, and any other Region VI area pricing orders issued under § 1340.260 of that regulation, dealers are hereby permitted to increase their maximum prices by 10 cents per net ton.

(d) This Order No. G-32 removes the April 30, 1946, termination date heretofore placed upon the 10¢ per ton increase, and shall remain in effect in each area covered by Region VI area pricing orders until such area order is amended to reflect the price increase permitted herein and to supersede this Order No. G-32.

(e) *Effect of order on Revised Maximum Price Regulation No. 122.* Insofar as any provision of this order may be inconsistent with any provision of Revised Maximum Price Regulation No. 122, as amended, the provisions contained in this order shall be controlling. Except

as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect.

(f) This order may be revoked, amended or modified at any time.

This order shall become effective March 30, 1946.

Issued this 15th day of April 1946.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 46-8541; Filed, May 21, 1946;  
1:13 p. m.]

[Region IV Order G-2 Under Supp. Service Reg. 47 to RMPR 165, Amdt. 2]

## RETAIL SHOE REPAIR SERVICES IN ALABAMA, GEORGIA, MISSISSIPPI, NORTH CAROLINA, SOUTH CAROLINA, TENNESSEE, AND VIRGINIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1499.630 (a) of Supplementary Service Regulation 47 to Revised Maximum Price Regulation 165, subparagraph (2) of section (b) of Order No. G-2 under Supplementary Service Regulation 47 to Revised Maximum Price Regulation 165, issued by this office October 29, 1945, is amended to read as follows:

(2) *Group "A" Grades, Compo-Dress Half-Soles.* Group "A" Grades of Compo-Dress Half-soles means Neolite Brand Half-soles manufactured by the Goodyear Tire and Rubber Company, Panolene Half-soles manufactured by the Panther-Panco Rubber Company and O'Sullivan Men's molded brown and leather color plastic half-soles manufactured by the O'Sullivan Rubber Company.

*Effective date.* This amendment shall become effective as of May 8, 1946.

Issued May 3, 1946.

JOHN R. DEKLE, Jr.,  
Acting Regional Administrator.

[F. R. Doc. 46-8370; Filed, May 17, 1946;  
4:50 p. m.]

[Region IV Order G-6 Under Gen. Order 68, Revocation]

## SOFTWOOD PLYWOOD IN ATLANTA REGION

Order of revocation of Order No. G-6 under General Order 68; maximum prices for retail sales of softwood plywood in a certain described area; Docket No. IV-GO 68-6.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by General Order 68, *It is hereby ordered:*

That Regional Order G-6 under General Order 68, covering retail sales of



softwood plywood in the area described in Order G-6 should be, and the same is hereby revoked.

This order shall become effective immediately.

Issued April 16, 1946.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 46-8365; Filed, May 17, 1946;  
4:50 p. m.]

[Region IV Order G-5 Under RMPR 251,  
Amdt. 1]

**PLUMBING SERVICES AND INSTALLED PLUMBING AND HEATING FIXTURES IN JACKSON AND HINDS COUNTY, MISS.**

For the reasons set forth in the accompanying opinion and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by section 9 of Revised Maximum Price Regulation 251, *It is ordered:*

(1) That the Appendix to Order G-5 under section 9 of Revised Maximum Price Regulation 251, as issued by the Regional Administrator for Region IV of the Office of Price Administration on March 27, 1946, be stricken and the following Appendix inserted in lieu thereof.

**APPENDIX**

*Maximum prices of plumbing services and sales of installed plumbing fixtures and materials.* The maximum amount which may be charged for plumbing and allied services customarily performed in this area by plumbing contractors shall be the "Maximum hourly service rates" as provided in sub-paragraph (a) below, plus "the maximum prices of plumbing fixtures and materials", and "transportation charges" as set forth in sub-paragraphs (b), (c) and (d) below:

(a) *Maximum hourly service charge.* The maximum hourly labor charge for plumbing services shall be the straight time hourly rate set forth in Column A or the legal wages paid per hour multiplied by the mark-up in Column B whichever is lower, together with any applicable overtime:

Types of labor	Maximum hourly service rates	
	Column A	Column B <sup>1</sup>
	Straight time charges per hour	Mark-up factor of legal wage rates paid
Master plumbers.....	2.25	1.42
Journeyman plumbers.....	2.25	1.42
Apprentice plumbers.....	1.25	1.42
Helpers or laborers.....	1.00	1.42

<sup>1</sup> In calculating the hourly service rate per hour in column B, the resulting figure may be rounded to the nearest 25 cents.

In no instance, however, shall the resulting figure be in excess of the amount in column A.

(b) *Maximum prices of plumbing and heating fixtures and materials—(1) Fixtures.* The maximum amount which may be charged for any fixture involved in the process of repairing or installing, as defined in this order, shall not exceed

the invoiced cost f. o. b. Jackson, Mississippi, plus a mark-up not in excess of 50% on cost. Any fixture marked with a label containing the legal O. P. A. retail ceiling price, the seller must use this price in lieu of the 50% mark-up on cost.

(2) *Materials.* The maximum amount which may be charged for any materials involved in the process of repairing or installing, as defined in this order, shall not exceed the invoiced cost f. o. b. Jackson, Mississippi, plus a mark-up not in excess of 50% on cost. The maximum price for any "plumbing specialty", priced at less than \$5.00, shall not exceed seller's present established price. All other "plumbing specialties" must be priced as "materials" under this order.

(c) *Maximum prices of sub-contracted work.* The maximum amount which may be charged for any necessary sub-contracted work such as sheet metal work, pipe covering, plastering, painting and electrical work, incidental to the installation or repair of plumbing or heating shall not exceed the actual cost of such sub-contracted work plus a mark-up not in excess of 20% on cost.

(d) *Transportation charges.* For jobs outside the city limits of Jackson, Mississippi, the seller may charge not more than 5¢ per mile for actual mileage to and from the job site, measured from the city limits.

*Maximum prices of plumbing and heating services and sale of installed fixtures and materials in excess of \$250.00.* The maximum prices of plumbing and heating services and of installed fixtures and materials for any job in excess of \$250.00 shall be calculated according to section 7 of Revised Maximum Price Regulation 251.

Except as otherwise provided herein, all the provisions of Order G-5 under section 9 of Revised Maximum Price Regulation 251 issued on March 27, 1946, shall remain in full force and effect.

This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective May 6, 1946.

Issued May 1, 1946.

JOHN R. DEKLE, JR.,  
Acting Regional Administrator.

[F. R. Doc. 46-8371; Filed, May 17, 1946;  
4:50 p. m.]

[Region VI Rev. Order G-1 Under Gen.  
Order 61]

**USED LUMBER IN CHICAGO REGION**

For the reasons set forth in the Opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region VI of the Office of Price Administration by General Order No. 61, It is hereby ordered:

**Article I—Coverage of This Order**

**SECTION 1. Products, transactions and area covered.** This order applies to sales or purchases by any person of the categories of used lumber for which maximum prices are established in the

Appendices to this order, when made for delivery in Region VI of the Office of Price Administration, which is composed of the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Lake County in the State of Indiana.

Where delivery is made in areas outside of those described in the attached Appendices and where no dollar and cents ceiling prices have been issued for such area under the authority of General Order 61, the maximum prices shall be those established for the area from which the stock is shipped. However, if an order has been issued under the authority of General Order 61 establishing dollar and cents ceiling prices for the area into which delivery is made, then the maximum prices shall be those established by such order.

The body of this order contains the general provisions which are applicable to all of the Appendices hereto. The special provisions and specific prices applicable in particular areas are set forth in Appendices hereto, each of which is issued as a part of this order. Insofar as any provisions contained in any Appendix may be inconsistent with any provision contained in the body of this order, the provision contained in the Appendix shall be controlling in the area governed by that Appendix. Where the applicable Appendix does not contain a maximum price for a kind of sale for a category of used lumber, the maximum price shall be determined by the appropriate provision of the applicable order or regulation issued by the Office of Price Administration.

**Article II—Definitions**

**SEC. 2. Used lumber.** Used lumber means lumber and lumber products which have been recovered from, and were at one time a part of, a building, structure or fabricated item made wholly or partially of lumber.

**SEC. 3. Categories of used lumber.** Maximum prices are established by this order for the categories of used lumber described below, including such lumber when run to standard or special patterns; but such descriptions are not intended to, and do not, include items customarily produced and sold as mouldings or millwork.

(a) *Boards.* Used lumber of less than 2" nominal thickness.

(b) *Dimension.* Used lumber of 2" nominal thickness.

(c) *Planks or small timbers.* Used lumber of over 2" and up to and including 4" nominal thickness and of 12" or less nominal width; also nominal thicknesses over 4" up to and including 6" in all nominal widths up to and including 8".

(d) *Large timbers.* Used lumber of nominal sizes larger than 6" x 8", also nominal thicknesses of more than 2" when wider than 12".

(e) *Flooring.* Used hardwood lumber surfaced to approximately  $\frac{25}{32}$ " thickness, and which has tongue and groove or other pattern commonly used for hardwood flooring.

(f) *Scrap lumber* is used lumber of any of the other categories described in this



section which, because of defects in quality or deficiencies in size, does not meet the grade specifications in section 4.

SEC. 4. The following are the grades of used lumber for which maximum prices are established by this order:

(a) Standard grade (or prime grade) is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 5 feet in length, generally free from loose or rotten knots, knot holes, and rot, and generally free from other defects which materially impair the strength of the pieces and will prevent its use for standard construction purposes. This grade may include pieces which are partly defective in some of the above respects provided at least two-thirds of each such piece is free from these defects in lengths of 5 feet or more and the aggregate footage containing such defects does not constitute more than 15 percent of the total footage in the individual sale. Standard grade (or prime grade) also includes used lumber from 4 feet in length to less than 5 feet in length which is 100 percent usable.

(b) Reclaimed hardwood flooring is used hardwood flooring of standard  $\frac{2\frac{3}{4}}{32}$ " thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of  $\frac{1}{8}$ " in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue and not more than 25 percent of the lower surface representing the under part of the groove may be missing on any piece.

SEC. 5. *Person.* The term "person" includes any individual, corporation, partnership, association, or any other organized group of persons, or their legal successors or representatives; the United States, or any government, or any of its political subdivisions, or any agency of the foregoing.

SEC. 6. *Sale.* "Sale" includes a barter, exchange, lease, or transfer, and an agreement or offer to sell, barter, exchange, lease, or transfer.

SEC. 7. *Established yard.* Seller's established yard means premises occupied by the seller for the purpose of regularly and continually maintaining a stock of new and used lumber or used lumber alone customarily received from various unrelated sources of supply.

SEC. 8. *Other definitions.* (a) "Nominal thickness" or "nominal width" means the thickness or width of the piece before planing. Actual thickness or width after planing to produce an even and uniform surface is generally  $\frac{1}{4}$ " to  $\frac{3}{8}$ " less than nominal thickness or width.

(b) "Cleaned" means lumber free of nails, bolts, and other foreign material.

(c) A delivery shall be deemed to have been made by the seller:

(1) For a sale F. O. B. dealer's yard or F. O. B. wrecking site, when the used lumber is loaded at the yard or wrecking site into a conveyance or carrier owned, controlled or hired by such purchaser.

(2) For a sale delivered to a location designated by the purchaser, when the used lumber is shipped by conveyance or carrier owned, controlled or hired by

the seller and unloaded at the purchaser's designated site.

#### Article III—Specific Requirements

SEC. 9. *Posting ceiling prices.* Every person selling used lumber for delivery in, or from stocks located in the area covered by this order shall obtain from the Office of Price Administration at least two copies of each Appendix applicable to the geographical areas in which the seller sells used lumber covered by this order. One copy of each Appendix must be posted and maintained in a prominent place at or near each location in the area where used lumber is offered for sale, in such manner that it can be easily read, and that purchasers can approach it within a distance of two feet. One other copy must be kept available so that it may be shown to and read by any customer at his request.

SEC. 10. *Sales slips and receipts.* Where a sale of used lumber is covered by this order and the total price of the sale is \$5.00 or more, the seller shall, regardless of his previous practice and whether or not requested by the buyer give to such buyer a sales slip, bill, receipt, or other written evidence of the sale, setting forth the following:

1. Name and address of seller.
2. Buyer's name.
3. Place of delivery.
4. Location from which stock is sold (seller's yard or site other than seller's yard).
5. Description of items sold and itemized prices (in terms of categories, grades, lengths, quantities and any other specification affecting the price).
6. Total price.
7. Additions (for delivery or other extra).

SEC. 11. *Records and reports.* Every person who makes a sale of used lumber shall keep a record of such sale showing the name of the buyer and place of delivery, date of the sale, the grades sold, the quantities sold and the price charged in the same detail as required in section 10. Such records shall be kept for a period of 2 years or for the duration of the Emergency Price Control Act of 1942, as amended, whichever be the shorter.

#### Article IV—Prohibited Practices and Penalties

SEC. 12. *Sales of used lumber at higher than maximum prices prohibited.* (a) On and after the effective date of this order, regardless of any contract or obligation, no person shall make a sale, or delivery of used lumber of the varieties covered by this order and no person shall buy or receive such used lumber under a sale, at prices higher than the maximum prices fixed by this order; and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 13. *Prohibited practices.* Any practice which is designed to get the effect of a higher than ceiling price is as much a violation of this order as a direct over-the-ceiling charge. Such practices include, but are not limited to, the following:

(a) Getting the effect of a higher price by changing the credit practices from

what they were in March, 1942. This includes decreasing credit periods, or making greater charges for extension of credit.

(b) Refusing to sell except in small quantities, or with or without delivery under circumstances which bring the seller an extra return.

(c) Wrongly grading used lumber for which maximum prices are fixed in this order; or incorrectly or incompletely recording the information required by section 10 to be set forth on the sales slip, receipt or other evidence of sale.

(d) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(e) Charging, paying, or receiving a commission for the service of procuring, buying, selling, or locating used lumber covered by this order, or for any related service which does not involve actual physical handling of used lumber, if the commission plus the purchase price results in a total payment by the buyer for such used lumber which is higher than the maximum price permitted by this order. For the purpose of this order, a commission is any compensation, however designated, which is paid, wholly or in part, for the procurement of lumber, and which is based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

SEC. 14. *Penalties.* (a) Any person violating any provision of this order is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of license provided for in the Emergency Price Control Act of 1942, as amended.

(b) Any person making a sale of used lumber covered by this order for which the total price is higher than \$5.00 and who either fails to give the buyer a sales slip, paid bill, receipt, or other evidence of sale, or although such document is given, fails to set forth in it the information required to be set forth by section 10 (so that a determination can be made as to whether or not the price charged was proper), shall be limited to making a charge of \$5.00 per M<sup>2</sup>BM for all lumber delivered under such sale. The application or enforcement of this provision to a sale or against a seller shall not exclude the application or enforcement of the penalties provided in Paragraph (a) of this section.

#### Article V—Maximum Prices

SEC. 15. *Ceiling prices for any category of used lumber for which maximum prices are not fixed in this order are subject to the General Maximum Price Regulation.*

SEC. 16. *Maximum prices.* The maximum prices set forth in the Appendices attached hereto shall apply to all sales of used lumber of the categories covered by this order, when the used lumber, at the time the order is taken, is part of a stock at the seller's established yard, or is located at a wrecking site and delivery is made either at the yard or wrecking site or by truck or other conveyance within the area defined in section 1, above.



SEC. 17. Additions for delivery. (a) If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller may not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942, the seller may add a charge for delivery as follows:

(1) Where delivery is by common or contract carrier, the actual amount paid to the carrier by the seller may be charged.

(2) Where delivery up to 100 miles is by truck owned or controlled by the seller, the amount added for delivery may not be higher than 10 cents per M'BM for each mile to place of delivery but not for any part of the return trip. When truck delivery over 100 miles is to be made, the addition may not be more than 10 cents per M'BM for each mile from the point of origin to the nearest possible point of rail loading-out plus the amount of rail transportation from there to destination.

(3) A minimum charge of 75 cents may be made on any delivery where the permissible charges do not amount to 75 cents.

(c) If the buyer elects to take delivery at the site of the lumber or at the seller's established yard, no reduction in price shall be required for that reason.

SEC. 18. Revocation of Order No. G-1 under General Order No. 61. This order specifically revokes and supersedes in its entirety Order No. G-1 issued December 20, 1945, including Appendices attached thereto under the authority of General Order No. 61.

This order may be amended, modified, or revoked at any time.

Issued this 20th day of March 1946.

This order shall become effective April 10, 1946.

R. E. WALTERS,  
Regional Administrator.

#### APPENDIX A

##### USED LUMBER—LEGAL MAXIMUM PRICES PER THOUSAND BOARD FEET

When sold for delivery in the following area: In the counties of Cook, Du Page, Kane, Lake, McHenry, and Will in the State of Illinois; in the county of Milwaukee in the State of Wisconsin; in Lake County in the State of Indiana; and in the counties of Hennepin and Ramsey in the State of Minnesota.

##### Board, Dimension, Planks, and Timbers

[When cleaned of nails, bolts and other foreign material]

	4 feet to 20 feet long	Over 20 feet
Standard grade—cleaned: <sup>1</sup>		
Boards (all widths less than 2" nominal thickness).....	\$45.00	\$47.00
Dimension (all widths 2" nominal thickness).....	48.00	50.00
Planks and small timbers (over 2" up to 4" nominal thickness, 12" or less nominal width; also nominal thickness over 4" up to and including 6" in all nominal widths up to and including 8").....	48.00	52.00
Large timbers (nominal sizes larger than 6" x 8"—also 2" when wider than 12").....	50.00	55.00
Standard grade—not cleaned: <sup>1</sup>		
Boards (as described above).....	35.00	37.00
Dimension (as described above).....	38.00	40.00
Planks and small timbers (as described above).....	38.00	42.00
Large timbers (as described above).....	40.00	45.00

#### Reclaimed Hardwood Flooring<sup>2</sup>

Per thousand board feet..... \$60.00

Above prices apply when sold f. o. b. seller's yard or delivered within seller's free delivery zone.

For sales amounting in total for all items of less than \$10.00, the prices may be increased by 10 percent.

Deduct \$4.00 per thousand from above prices when sold f. o. b. wrecking site.

Scrap lumber—Maximum price is \$5.00 per thousand board feet when sold for delivery either at the yard or the wrecking site.

<sup>1</sup> Standard grade (or prime grade) is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 5 feet in length, generally free from loose or rotten knots, knot holes, and rot, and generally free from other defects which materially impair the strength of the pieces and will prevent its use for standard construction purposes. This grade may include pieces which are partly defective in some of the above respects provided at least two-thirds of each such piece is free from these defects in lengths of 5 feet or more and the aggregate footage containing such defects does not constitute more than 15 percent of the total footage in the individual sale. Standard grade (or prime grade) also includes used lumber from 4 feet in length to less than 5 feet in length which is 100 percent usable.

<sup>2</sup> Reclaimed hardwood flooring is used flooring of standard 3/4" thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of 1/4" in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue and not more than 25 percent of the lower surface representing the under part of the groove may be missing on any piece.

#### APPENDIX B

##### USED LUMBER—LEGAL MAXIMUM PRICES PER THOUSAND BOARD FEET

[When sold for delivery in the following area: In the entire States of Iowa, North Dakota, South Dakota, Nebraska, and in all of the State of Illinois except the counties of Cook, Du Page, Kane, Lake, McHenry and Will (which are included in Appendix A), and in the counties in Wisconsin and Minnesota as listed below]

Wisconsin		
Adams.	Iowa.	Racine.
Buffalo.	Jackson.	Richland.
Columbia.	Jefferson.	Rock.
Crawford.	Juneau.	Sauk.
Dane.	Kenosha.	Sheboygan.
Dodge.	La Crosse.	Trempealeau.
Fond du Lac.	Lafayette.	Vernon.
Grant.	Marquette.	Walworth.
Green.	Monroe.	Washington.
Green Lake.	Ozaukee.	Waukesha.
Minnesota		
Anoka.	Kandiyohi.	Renville.
Big Stone.	Laqui Parle.	Rice.
Blue Earth.	Le Sueur.	Rock.
Brown.	Lincoln.	Scott.
Carver.	Lyon.	Sibley.
Chippewa.	McLeod.	Steele.
Cottonwood.	Martin.	Swift.
Dakota.	Meeker.	Wabasha.
Dodge.	Mower.	Waseca.
Faribault.	Murray.	Washington.
Fillmore.	Nicollet.	Watsonwan.
Freeborn.	Nobles.	Winona.
Goodhue.	Olmsted.	Wright.
Houston.	Pipestone.	Yellow Medicine.
Jackson.	Redwood.	

##### Board, Dimension, Planks, and Timbers

[When cleaned of nails, bolts and other foreign material]

	4 feet to 20 feet long	Over 20 feet
Standard grade—cleaned: <sup>1</sup>		
Boards (all widths less than 2" nominal thickness).....	\$41.00	\$43.00
Dimension (all widths 2" nominal thickness).....	44.00	46.00
Planks and small timbers (over 2" up to 4" nominal thickness, 12" or less nominal width; also nominal thicknesses over 4" up to and including 6" in all nominal widths up to and including 8").....	44.00	48.00
Large timbers (nominal sizes larger than 6" x 8"—also 2" when wider than 12").....	46.00	51.00
Standard grade—not cleaned: <sup>1</sup>		
Boards (as described above).....	33.00	35.00
Dimension (as described above).....	36.00	38.00
Planks and small timbers (as described above).....	36.00	40.00
Large timbers (as described above).....	38.00	43.00

#### Reclaimed Hardwood Flooring<sup>2</sup>

Per thousand board feet..... \$55.00

Above prices apply when sold f. o. b. seller's yard or delivered within seller's free delivery zone.

For sales amounting in total for all items of less than \$10.00, the prices may be increased by 10 percent.

Deduct \$3.00 per thousand from above prices when sold f. o. b. wrecking site.

Scrap lumber—Maximum price is \$5.00 per thousand board feet when sold for delivery either at the yard or the wrecking site.

<sup>1</sup> Standard grade (or prime grade) is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 5 feet in length, generally free from loose or rotten knots, knot holes, and rot, and generally free from other defects which materially impair the strength of the pieces and will prevent its use for standard construction purposes. This grade may include pieces which are partly defective in some of the above respects provided at least two-thirds of each such piece is free from these defects in lengths of 5 feet or more and the aggregate footage containing such defects does not constitute more than 15 percent of the total footage in the individual sale. Standard grade (or prime grade) also includes used lumber from 4 feet in length to less than 5 feet in length which is 100 percent usable.

<sup>2</sup> Reclaimed hardwood flooring is used flooring of standard 3/4" thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of 1/4" in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue and not more than 25 percent of the lower surface representing the under part of the groove may be missing on any piece.

#### APPENDIX C

##### USED LUMBER—LEGAL MAXIMUM PRICES FOR THOUSAND BOARD FEET

When sold for delivery in the following area: In the counties in the States of Wisconsin and in the State of Minnesota as shown below:

Wisconsin		
Ashland.	Florence.	Pierce.
Barron.	Forest.	Polk.
Bayfield.	Iron.	Priest.
Brown.	Kewaunee.	Rusk.
Burnett.	Langlade.	St. Croix.
Chippewa.	Lincoln.	Sawyer.
Clark.	Marathon.	Shawano.
Door.	Marquette.	Taylor.
Douglas.	Oconto.	Vilas.
Dunn.	Oneida.	Washburn.
Eau Claire.	Pepin.	
Minnesota		
Aitken.	Isanti.	Pennington.
Becker.	Itasca.	Pine.
Beltrami.	Kanabec.	Polk.
Benton.	Kittson.	Pope.
Carlton.	Koochiching.	Red Lake.
Cass.	Lake.	Roseau.
Chisago.	Lake of the	St. Louis.
Clay.	Woods.	Sherburne.
Clearwater.	Mahnomen.	Stearns.
Cook.	Marshall.	Stevens.
Crow Wing.	Mille Lacs.	Todd.
Douglas.	Morrison.	Traverse.
Grant.	Norman.	Wadena.
Hubbard.	Otter Tail.	Wilkin.

##### Board, Dimension, Planks and Timbers

[When cleaned of nails, bolts and other foreign material]

	4 feet to 20 feet long	Over 20 feet
Standard grade—cleaned: <sup>1</sup>		
Boards (all widths less than 2" nominal thickness).....	\$35.00	\$37.00
Dimension (all widths 2" nominal thickness).....	38.00	40.00
Planks and small timbers (over 2" up to 4" nominal thickness, 12" or less nominal width; also nominal thicknesses over 4" up to and including 6" in all nominal widths up to and including 8").....	38.00	42.00
Large timbers (nominal sizes larger than 6" x 8"—also 2" when wider than 12").....	40.00	45.00
Standard grade—not cleaned: <sup>1</sup>		
Boards (as described above).....	27.00	29.00
Dimension (as described above).....	30.00	32.00
Planks and small timbers (as described above).....	30.00	34.00
Large timbers (as described above).....	32.00	37.00

#### Reclaimed Hardwood Flooring<sup>2</sup>

Per thousand board feet..... \$50.00

Above prices apply when sold f. o. b. seller's yard or delivered within seller's free delivery zone.



For sales amounting in total for all items of less than \$10.00, the prices may be increased by 10 percent.  
Deduct \$3.00 per thousand from above prices when sold f. o. b. wrecking site.

Scrap lumber: Maximum price is \$5.00 per thousand board feet when sold for delivery either at the yard or the wrecking site.

1 Standard grade (or prime grade) is used lumber in the form of boards, dimension, planks or timbers, which individually are at least 5 feet in length, generally free from loose or rotten knots, knot holes, and rot, and generally free from other defects which materially impair the strength of the pieces and will prevent its use for standard construction purposes. This grade may include pieces which are partly defective in some of the above respects provided at least two-thirds of each such piece is free from these defects in lengths of 5 feet or more and the aggregate footage containing such defects does not constitute more than 15 percent of the total footage in the individual sale. Standard grade (or prime grade) also includes used lumber from 4 feet in length to less than 5 feet in length which is 100 percent usable.

2 Reclaimed hardwood flooring is used flooring of standard 3/4" thickness, entirely free of nails or other foreign matter and with upper surface whole or free from voids or splits. A tolerance of 1/8" in thickness will be permitted where flooring is worn or sanded. Not more than 25 percent of the tongue and not more than 25 percent of the lower surface representing the under part of the groove may be missing on any piece.

[F. R. Doc. 46-8372; Filed, May 17, 1946; 4:51 p. m.]

[Region IV Order G-2 Under Gen. Order 68, Revocation]

#### SOFTWOOD PLYWOOD IN ATLANTA REGION

Order of revocation of Order No. G-2 under General Order 68; maximum prices for retail sales of softwood plywood in a certain described area: Docket No. IV-GO 68-2.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by General Order 68, it is hereby ordered:

That Regional Order G-2 under General Order 68, covering retail sales of softwood plywood in the area described in Order G-2 should be, and the same is hereby revoked.

This order shall become effective immediately.

Issued April 16, 1946.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 46-8369; Filed, May 17, 1946; 4:50 p. m.]

#### [Region VI Order G-116 Under 18 (c)] TRANSPORTATION OF MILK IN SOUTHERN ILLINOIS

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator for Region VI of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered:

(a) Effect of this order. This order adjusts maximum rates for deliveries of fluid milk by for-hire carriers from producers' farms or loading platforms to dairies, milk processing plants, milk receiving stations or other concentration points located within the area comprising the counties of Adams, Pike, Greene, Macoupin, Montgomery, Christian, Shelby, Moultrie, Cumberland, Clark and all counties south thereof within the State of Illinois, as well as from producers' farms and loading platforms within this area to points of concentration

within the States of Missouri, Kentucky and Indiana.

(b) Maximum rates. The maximum rate that may be charged by any for-hire carrier of milk who is subject to this Order No. G-116 for a transportation service covered hereby shall be the higher of the following:

(1) The legal maximum rate existing on April 30, 1946, or

(2) The maximum rate per cwt. established under section 2 of the General Maximum Price Regulation plus 5¢ per cwt.: Provided, however,

(i) That such sum may in no event exceed 40¢ per cwt.,

(ii) That to the extent that application of this subparagraph (2) authorizes an increase in any maximum rate existing on April 30, 1946, no processor shall pay a greater proportion of such increase than the proportion of the total transportation charge borne by him for the same service during January 1943, and

(iii) That in no event shall the processor pay a greater increase than 2 1/2¢ per cwt.

(c) A "for-hire" carrier of milk is one who, for a compensation paid by the persons he serves, transports fluid milk by wagon or by motor vehicle, (other than a tank wagon or tank truck), and has no financial interest in such milk. Hence, the term does not apply to milk processors who transport, in their own conveyances, milk to which they have acquired title.

(d) Lower prices for any service covered by the instant order may be charged, offered, demanded or paid.

This order shall become effective on the first day of May 1946, but it may be amended, revised or revoked at any time.

Issued this 25th day of April 1946.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 46-8373; Filed, May 17, 1946; 4:51 p. m.]

[Milwaukee Rev. Order G-1 Under Gen. Order 68, Amdt. 1]

#### BUILDING AND CONSTRUCTION MATERIALS IN MILWAUKEE COUNTY, WIS.

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-1, under General Order 68 is amended in the following respects:

1. In Appendix A, the following items are deleted:

Commodity	Consumer maximum prices at the yard (per block)
Concrete block:	
Cinder 10"-----	\$0.20
Sand 10"-----	.20
Haydite, Waylite Celocrete 10"-----	.22
Sand 12"-----	.22
Cinder 12"-----	.22
Haydite, Waylite Celocrete 12"-----	.24
Sand 8"-----	.18
Cinder 8"-----	.18
Haydite, Waylite Celocrete 8"-----	.19
Cinder 6"-----	.16
Sand 6"-----	.16
Haydite, Waylite Celocrete 6"-----	.17
Cinder 4"-----	.12
Sand 4"-----	.12
Haydite, Waylite Celocrete 4"-----	.13

2. In Appendix B, the following items are deleted:

Commodity:	Sales to contractors Maximum price (per block)
Concrete block:	
Sand 12"-----	\$0.22
Cinder 12"-----	.22
Haydite, Waylite Celocrete 12"-----	.24
Cinder 10"-----	.20
Sand 10"-----	.20
Haydite, Waylite Celocrete 10"-----	.22
Sand 8"-----	.18
Cinder 8"-----	.18
Haydite, Waylite Celocrete 8"-----	.19
Cinder 6"-----	.16
Sand 6"-----	.16
Haydite, Waylite Celocrete 6"-----	.17
Cinder 4"-----	.12
Sand 4"-----	.12
Haydite, Waylite Celocrete 4"-----	.13

This amendment to Revised Order No. G-1 shall become effective May 10, 1946.

Issued this 9th day of May 1946.

H. T. SMITH,  
District Director.

[F. R. Doc. 46-8374; Filed, May 17, 1946; 4:51 p. m.]

[Region VII Order G-22 Under Gen. Order 68]

#### BUILDING AND CONSTRUCTION MATERIALS IN TWIN FALLS, IDAHO, AREA

Order No. G-22 under General Order No. 68. Maximum prices for retail sales of certain building and construction materials in the Twin Falls, Idaho, Area, Docket No. 7-GO 68-22.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. What this order does. This Order No. G-22 under General Order 68 covers all retail sales by any seller, located in the Twin Falls, Idaho area, herein designated as Idaho Building Materials Area No. 4, of the specified building and construction materials listed in the tables annexed to and incorporated herein. The Twin Falls, Idaho area, for the purposes of this order includes all of the City of Twin Falls, Idaho, and all of Twin Falls County, Idaho.

SEC. 2. Definitions. For the purposes of this order,

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wallboard, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. Relation to other regulations. The maximum prices established by this Order No. G-22 supersede any maximum



prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

**Sec. 4. Authorized maximum prices.** Upon and after the effective date of this Order No. G-22, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

**Sec. 5. Delivery practices.** (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by Section 8 of this order.

**Sec. 6. Discounts and allowances.** Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

**Sec. 7. Availability of order.** Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Boise District Office of the Office of Price Administration.

**Sec. 8. Sales slips and records.** (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales

slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

**Sec. 9. Prohibitions against sales at higher than maximum prices.** On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

**Sec. 10. Evasions.** (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

**Sec. 11. Less than maximum prices.** Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

**Sec. 12. Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

**Sec. 13. Revocation or amendment.** This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-22 shall become effective May 13, 1946.

Issued this 26th day of April 1946.

RICHARD Y. BATTERTON,  
Regional Administrator.

TABLE I—CEMENT, LIME AND PLASTER

Item and unit	Maximum retail selling prices
<b>Cement:</b>	
Portland—paper sacks: per sack.....	\$1.05
Portland—cloth sacks: per sack.....	
Quick Strength: per sack.....	1.70
Waterproof: per sack.....	1.70
Keene: per sack.....	2.60
Atlas or Duro White: per sack.....	4.50
Atlas or Duro White—waterproof: per sack.....	4.75
<b>Mortar:</b>	
Masonry—paper sack: per sack.....	
<b>Lime:</b>	
Finishing—Ohio hydrated: per sack 50 lbs.....	1.50
Hydrated—Colorado: per sack 50 lbs.....	1.50
Hydrated—Missouri: per sack 50 lbs.....	1.50
Pebble: per cwt.....	3.00
Quick—Pulverized (Verifat and Cheshire): per cwt.....	3.00
Quick—Pulverized (Verifat and Cheshire): small quantities: 10 lb. sack per lb.....	.04
<b>Plaster:</b>	
Hardwall: per sack 100 lbs.....	1.25
Plaster paris—white: per sack 100 lbs.....	2.25
Moulding and casting plaster: per sack 100 lbs.....	2.25
Ready mixed finishing plaster: per sack 100 lbs.....	2.00
Gauging plaster: per sack 100 lbs.....	1.35
<b>Calcium chloride:</b>	
(Used for building purposes): per cwt. 100-lb. sack.....	4.50
Less than 100-lb. quantities: per lb.....	.05

TABLE II—LATH: GYPSUM AND METAL: CORNER BEADS AND EXPANSION CASING

Item and unit	Maximum retail selling prices
<b>Lath:</b>	
Gypsum: per M sq. ft.....	\$38.00
Metal lath—flat diamond mesh:	
2.5 lb. painted: sq. yd.....	.37½
3.4 lb. painted: sq. yd.....	.40
3.4 lb. galvanized: sq. yd.....	.45
Note: Add for metal lath—self furring—1¢ per yd. over flat diamond mesh.	
Metal lath—flat rib—3.4 lb. painted: sq. yd.....	.40
Metal—high rib—3.4 ¾" painted: sq. yd.....	.42
Note: For copper bearing lath, add 1¢ per sq. yd.	



TABLE II—LATH: GYPSUM AND METAL: CORNER BEADS AND EXPANSION CASINGS—continued

Item and unit	Maximum retail selling prices
Lath—Continued.	
Corner bead:	
Expanded type: M lin. ft.	\$70.00
Flat apron: M lin. ft.	50.00
¾" bull nose plain: M lin. ft.	55.00
All-expansion casing:	
¼ round (bull nose—O. G. or square edge): M lin. ft.	105.00
Lath strip, 2"x2": M lin. ft.	25.00
Corner lath, 3"x3": M lin. ft.	35.00

TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER

Item and unit	Maximum retail selling prices
Insulation board:	
½": per M sq. ft.	\$55.00
¾": per M sq. ft.	45.00
Insulation tile:	
Under 16 x 32 x ½": per M sq. ft.	72.50
16 x 32 x ½" and larger: per M sq. ft.	67.50
Insulation plank—½": per M sq. ft.	72.50
Insulation board ext. type:	
½" ext. sheeting: per M sq. ft.	65.00
25/32" ext. sheeting: per M sq. ft.	80.00
Insulation lath:	
½"—16 x 48—18 x 48—24 x 48: per M sq. ft.	55.00
Balsam wool sealed blankets:	
Standard: per M sq. ft.	53.00
Double thick: per M sq. ft.	75.00
Wall thick: per M sq. ft.	105.00
Kimsul insulation:	
Commercial ½": per M sq. ft.	40.00
Standard 1": per M sq. ft.	50.00
Double thick 2": per M sq. ft.	60.00
Full thick 3½": per M sq. ft.	65.00
Mineral wool insulation:	
Semi-thick batts 15" x 48": per M sq. ft.	70.00
Full-thick batts 15" x 48": per M sq. ft.	90.00
Hand-batts full thick 15" x 24": per M sq. ft.	90.00
Jr. batts 11½" x 15": per bag—18 pieces (20 sq. ft.—4" thick)	2.15
Mineral wool blankets:	
1": per M sq. ft.	60.00
2": per M sq. ft.	80.00
3": per M sq. ft.	100.00
Nodulated and loose wool in sacks: per cwt.	5.00
Expanded mica:	
Sack containing 4 cu. ft.	1.40
Building paper:	
Red Resin—20 lb.: per roll	1.40
Red Resin—30 lb.: per roll	2.10
Red Resin—40 lb.: per roll	2.80
Sisalcraft: per 100 sq. ft.	1.40
Sisalcraft cut rolls—less than 100 sq. ft.: per sq. ft.	.02
Presswood:	
½ x 48 x 72 and longer—plain: per M sq. ft.	90.00
½ x 48 x 72 and longer—tempered: per M sq. ft.	110.00
¾ x 48 x 72 and longer—plain: per M sq. ft.	105.00
¾ x 48 x 72 and longer—tempered: per M sq. ft.	125.00
¾ x 48 x 72 and longer—plain: per M sq. ft.	135.00
¾ x 43 x 72 and longer—tempered: per M sq. ft.	145.00
Cut pieces less than one sheet: per sq. ft.	.02½
Wallboard:	
Sheetrock—¼ x 48 x 72 and longer: per M sq. ft.	40.00
Sheetrock—¾ x 48 x 72 and longer: per M sq. ft.	45.00
Sheetrock—½ x 48 x 72 and longer: per M sq. ft.	52.50

TABLE IV—ROOFING MATERIALS AND ASBESTOS SIDING

Item and unit	Maximum retail selling prices
Felt:	
Asphalt and tarred:	
15-lb. 36" wide, 324 sq. ft.: per roll	\$2.50
15-lb. 36" wide, 432 sq. ft.: per roll	3.30
20-lb. 36" wide, 300 sq. ft.: per roll	3.25
30-lb. 36" wide, 216 sq. ft.: per roll	3.55
Roll roofing:	
Smooth surfaced—1st grade:	
35-lb.: per roll	1.65
45-lb.: per roll	2.20
55-lb.: per roll	2.65
65-lb.: per roll	3.00
75-lb.: per roll	3.50
65-lb.: Alumishield: per roll	4.25
Mineral surfaced:	
90-lb.: per roll	3.25
Split roll 105-lb. diamond point—hex. edge stag. edge: per roll	4.25
Shingles:	
Asphalt shingles:	
Hex. std. 3 tab 167-lb.: per square	7.25
Thick butt 3 tab 12" 210-lb.: per square	8.25
Asbestos shingles:	
Asbestos-shingles, 300-lb.: per square	15.00
Dutch lap, 16 x 16 (½ bundle to sq.): per square	13.00
Siding—asbestos cement:	
Std. surf. hard std. colors (12 x 24) (12 x 27): per square	12.80
Std. surf. hard std. colors, white or buff: per square	13.80
Extra hard surf. white (12 x 24) (12 x 27): per square	14.40
Siding—asphalt:	
Insulated brick:	
14½ x 43 x ¾: per square	16.00
13½ x 43 x ¾, 14 x 43": per square	13.00
Roll brick: per roll	5.50

TABLE V—METAL PRODUCTS

Item and unit	Maximum retail selling prices
Ridge roll:	
Plain 1½" roll: per 100 lin. ft.	\$8.00
Plain 2" roll: per 100 lin. ft.	9.00
Continuous hip—5" girth, 10' length: 100 lin. ft.	.05
Valley tin:	
10" 28 ga.: per 100 lin. ft.	\$10.00
14" 28 ga.: per 100 lin. ft.	12.00
20" 28 ga.: per 100 lin. ft.	17.00
Hip shingles—5" x 9": each	.05
Globe finals:	
For 1½" plain ridge roll: each	.35
For 2" plain ridge roll: each	.50
Ash pit doors:	
8" x 8": each	\$1.50
10" x 12": each	2.25
Flashing shingles: 5" x 7" per 100	2.75

[F. R. Doc. 46-8375; Filed, May 17, 1946; 4:52 p. m.]

[Region VIII Order G-1 Under SR 14B, Amdt. 1]

## HOMEKRAFT BAKING CO.

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by

section 10 of Supplementary Regulation No. 14B to the General Maximum Price Regulation, it is hereby ordered that Order No. G-1 under section 10 of Supplementary Regulation No. 14B to the General Maximum Price Regulation be amended in the following respects:

1. The title of the order is amended to read as follows: "Adjusted Maximum Prices for Certain Bakery Products Produced by Homekraft Baking Company."

2. Paragraph (a) is amended to read as follows:

(a) The adjusted maximum prices at which any person may sell the bakery products manufactured by Homekraft Baking Company, San Leandro, California, that are listed below are those set forth in the following tables.

## (1) Rolls—

Wholesale, 16¢ per dozen.  
Retail, 22¢ per dozen.

(2) "Homekraft" white and whole wheat bread; 1½-pound loaf—

Wholesale, 11¢.  
Retail, 13¢.

This amendment shall become effective March 27, 1946.

Issued this 27th day of March 1946.

GUY R. KINSLEY,  
Acting Regional Administrator.

[F. R. Doc. 46-8376; Filed, May 17, 1946; 4:52 p. m.]

[Region VIII Order G-3 Under RMPR 251, Amdt. 1]

## PLUMBING SERVICES IN NEVADA

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-8 under Revised Maximum Price Regulation No. 251 is amended in the following respect:

1. Paragraph (d) is amended to read as follows:

(d) Jobs selling for more than \$400. For jobs sold for more than \$400 the maximum prices shall be calculated under section 7 of Revised Maximum Price Regulation No. 251 using the sum of labor costs, direct costs, and a margin no higher than that used on the most comparable job in the period January 1, 1939, to March 31, 1945, but not exceeding 30% of such other direct costs.

This amendment to Order No. G-8 shall become effective April 29, 1946.

Issued this 26th day of April 1946.

BEN C. DUNIWAY,  
Regional Administrator.

[F. R. Doc. 46-8377; Filed, May 17, 1946; 4:52 p. m.]

[Region VIII Order G-18 Under RMPR 251, Amdt. 1]

## RECORDS AND INVOICES IN SAN FRANCISCO, CALIF., DISTRICT

An opinion accompanying this amendment has been issued simultaneously herewith.



Order No. G-18 under Revised Maximum Price Regulation No. 251 is amended in the following respects:

In paragraphs (a), (b) and (c) the date April 12, 1946, is substituted for the date March 31, 1946.

This amendment shall become effective March 31, 1946.

Issued this 29th day of March 1946.

GUY R. KINSLEY,  
Acting Regional Administrator.

[F. R. Doc. 46-8379; Filed, May 17, 1946;  
4:53 p. m.]

[Region VIII Order G-27 Under SO 94]

**SURPLUS FROM GOVERNMENT HOUSING  
PROJECT IN HANFORD, WASH.**

For the reasons set forth in an accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by sections 11 and 13 of Supplementary Order No. 94, it is ordered as follows:

(a) *Sales at retail.* The maximum price at which any person may sell or deliver at retail millwork, electrical fixtures, wiring, and equipment, and hardware and building materials, acquired by the Mohawk Wrecking Company from the housing project owned by the United States Government at Hanford, Washington, shall be 75% of the "catalog price."

The "catalog price" is the lowest price stated in one of the following catalogs for an article the same as that being sold or, if none, for the most nearly similar article:

For millwork: Stock Millwork Catalog No. 39, published by Dempsey, Kimsey, and Downs, Portland, Oregon;

For electrical fixtures, wiring, and equipment: Westinghouse Electric Supply Company Catalog No. 82, or General Electric Supply Corporation Catalog No. 82-WP;

For hardware and building materials: Those catalogs in effect as of the date of issuance of this order and published by Jensen-Byrd Company, Spokane, Washington, or by the Building Supply Company, Incorporated, Spokane, Washington.

(b) *Sales other than at retail.* The maximum price at which any person may sell or deliver other than at retail any of the articles described in paragraph (a) shall be the price therein provided for sales at retail less discounts, as follows:

Item	Discounts	
	Sales to retailers	Sales to all others, including wholesalers
	Percent	Percent
Millwork	30	30 and 20
Electrical fixtures and wiring	40	40 and 33 1/3
Hardware and building materials	30	30 and 20

(c) *Notification of purchasers.* The Mohawk Wrecking Company shall attach a tag to each article covered by this order, the maximum price of which for sales to wholesalers is 25 cents or more, showing the maximum retail price applicable to such article under this order.

Each seller, when making a sale other than to an ultimate consumer, shall notify the purchaser in writing, on the invoice or otherwise, of the maximum retail price. In the absence of such tagging or notification, the maximum price applicable to any sale shall be the lowest price provided by this order.

(d) *Definitions.* (1) "Sale at retail" means a sale to an ultimate user other than an industrial or commercial user.

(2) "Retailer" means a seller the major part of whose business consists of sales at retail. For the purposes of this order, "retailer" shall also include industrial and commercial users.

(e) All prices stated herein are f. o. b. seller's place of business.

(f) This order shall become effective April 26, 1946, and shall continue in effect until the sales for which maximum prices are herein established shall be made subject to an order issued by the National Office of the Office of Price Administration.

(g) This order may be amended, corrected, or revoked at any time.

Issued this 26th day of April 1946.

BEN C. DUNIWAY,  
Regional Administrator.

[F. R. Doc. 46-8378; Filed, May 17, 1946;  
4:53 p. m.]

[Region IX Order G-1 Under RMPR 251]

**PAINTING AND PAPERHANGING SERVICES IN  
ANCHORAGE, ALASKA, AREA**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Alaska Director of the Office of Price Administration by section 9 of Revised Maximum Price Regulation 251, and Delegation Order No. 5, it is ordered:

**SECTION 1. What this order covers.**

(a) This order establishes maximum prices for all painting and paperhanging services performed in connection with premises located within the Anchorage area.

(b) The Anchorage area means any point within the city limits of Anchorage or any point within seventy-five miles radius therefrom.

**SEC. 2. Relation to Revised Maximum Price Regulation 251.** Except as otherwise provided in this order, this order supersedes sections 6, 7 and 8 of Revised Maximum Price Regulation 251 with respect to sales covered by this order. Except to the extent they are inconsistent with the provisions of this order, however, all other sections of Revised Maximum Price Regulation No. 251, together with all amendments thereto, that have been or may be issued, shall apply to sales covered by this order.

**SEC. 3. Maximum prices.** (a) The maximum hourly rate for any seller of the services covered by this order shall not exceed \$2.50 per hour for each employee. If the seller performs some of the productive work himself he shall not charge in excess of such hourly rate for his own services. The seller may not levy any charges for time preparing samples, making estimates and collections, and

other services considered as items of general overhead or job expense.

(b) *Measurement of hours.* The total number of hours per workman chargeable against any job is to be computed from the time such workman leaves the seller's shop or the previous job (whichever is later) until he completes the job (if he proceeds to another job) or until he returns to the shop (if he proceeds there directly), excluding, however, any stops or delays in transit. The hours for which charges are made shall not exceed those shown in the seller's payroll nor those shown on any records or invoices which this order may require the seller to prepare, issue, or keep.

(c) *Overtime work.* May be charged for at the rate of one and one-half times the rate provided above, but only if performed at the customer's request and only if the employee (if any) is paid on an overtime basis, and only if the work is performed on Saturday, Sunday, a legal holiday, or after the performance of eight hours of straight time work on a given day and before 8:00 a. m. of the following day.

(d) *Minimum charge.* If a job requires less than one man-hour there may be collected a minimum charge equal to the rate for one hour.

(e) *Materials.* The maximum price of any materials used shall be the maximum price provided by the appropriate maximum price regulation for sales of such materials at retail. Any unused materials charged to the customer shall become the property of the customer.

(f) *Definitions.* "Painting and paperhanging services" means the painting of any building, structure, or construction project, or any part, fixture, or equipment thereof, or the application of any wall paper or decorating or surface-finishing paper, or any paint, calcimine, shellac, varnish, or any other protective or ornamental coating thereto, and also includes all services incidental thereto, such as cleaning and preparation of surfaces, or cleaning of premises.

**SEC. 4. Lump sum price.** (1) A seller may offer to or make sales covered by this order on the basis of a lump sum price but such lump sum price must not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order.

(2) *Recomputation.* Within 30 days from the completion of any service covered by this order for which a price was charged on the basis described in paragraph (1) above, the seller shall check his price by reviewing the categories and other factors used in his estimate on the basis of the actual services rendered and material furnished and shall determine whether the price quoted, charged or collected is higher than the maximum price computed under this order. In the event that the price quoted, charged or collected is higher than the maximum price computed under the terms of this order the seller shall reduce his price to the proper maximum price and shall refund to the buyer within such period of 30 days after the completion of the service any excess which may have been collected or, if no excess has been collected, then, by written notice to the buyer, shall



cancel the indebtedness of the buyer for any such excess, or both, as the case may require. Such a charge or collection in an amount in excess of the maximum price properly computed in accordance with this order shall not be considered to be a violation of this order if the amount thereof is refunded or credited to the buyer in accordance with this paragraph.

**Sec. 5. Sales in excess of \$200.00.** For any sale of services covered by this order where the maximum price computed under this order is \$200.00 or more, the maximum price shall be the maximum price computed under sections 7 and 8 of Revised Maximum Price Regulation 251, or the maximum price computed under the provisions of this order, whichever is lower.

**Sec. 6. Sales not covered by this order.** If in connection with any sale covered by this order any sales of installed building materials or construction services are made for which maximum prices are not fixed by this order, such sales shall be separately priced and billed on all invoices and sales slips. The maximum prices for such other sales shall be computed under Revised Maximum Price Regulation 251 or other applicable regulation or area order.

**Sec. 7. Records.** Each seller must keep, at his place of business, available for inspection by representatives of the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records concerning each sale covered by this order, showing the following:

1. Name and address of purchaser.
2. Location of premises.
3. Date of transaction.
4. An itemized description of the materials and services involved and the prices charged.
5. Copy of the invoice, if the invoice must be given under the Regulation.

**Sec. 8. Notification and invoices.** Each seller supplying services covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection, a copy of this order and a copy of Revised Maximum Price Regulation 251. (Alternative provision where appropriate: Each seller covered by this order shall post, in a conspicuous place in his place of business, a list of the maximum prices fixed by this order for sales made by him.) Before final billing the seller shall furnish to each purchaser an invoice showing the following:

1. The names and addresses of the seller and the purchaser.
2. The location of the premises.
3. The date the work was completed.
4. An itemized description of the materials and services involved and the prices charged, with time charges itemized.

**Sec. 9. Amendment.** This order may be amended or revoked at any time by the Office of Price Administration.

This Order G-1 shall become effective May 5, 1946.

Issued this 3d day of May 1946.

WALTER E. WALSH,  
Acting Alaska Director.

[F. R. Doc. 46-8380; Filed, May 17, 1946;  
4:53 p. m.]

[Region II Adopting Order 1 Under Basic Order 3 Under RMPR 251]

#### INSTALLED INSULATION IN EXISTING STRUCTURES AND RELATED AND INCIDENTAL CONSTRUCTION WORK IN NEW YORK

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region 2 by the Emergency Price Control Act of 1942 as amended by section 9 of Revised Maximum Price Regulation 251 as amended and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the Assistant to the Regional Administrator in charge of the New York District Office, it is hereby ordered that:

**SECTION 1. What this order covers.** This adopting order under Basic Order No. 3 under section 9 of Revised Maximum Price Regulation No. 251 is amended, covers all sales of installed insulation and related and incidental construction work in existing structures in the area hereinafter described. All provisions of Basic Order No. 3 under section 9 of Revised Maximum Price Regulation No. 251 as amended are adopted in this order and are just as much a part of this order as if specifically set forth herein. If said Basic Order No. 3 is amended in any respect, the provisions of said order as amended, shall likewise without further action become part of this order. All persons subject to this adopting order are also subject to Basic Order No. 3 under section 9 of Revised Maximum Price Regulation No. 251 as amended, and should be familiar with the provisions of said basic order.

**Sec. 2. Territory covered by this order.** The geographical area covered by this order consists of the counties of Westchester, Bronx, New York, Kings, Queens, Nassau, Suffolk, and Richmond, all in the State of New York.

**Sec. 3. General provisions—(1) Related and incidental work.** The term "related and incidental" work, for the purposes of this order, shall mean any installation of building materials, or any work necessary for the actual installation of insulation and provided by the seller for which prices are not fixed by this order. Charges for such work shall be determined under RMPR-251, and shall be stated separately on all contracts or invoices.

**(2) Fire retarding.** Where fire retarding material and specified density are required by local building codes, or by any other local ordinance, the cost of doing this work shall be determined under RMPR-251.

**(3) Special insulation.** All types of insulation not expressly listed in the categories contained in this order, shall, for the purposes of this order, be treated as special insulation. Charges for such special insulation shall be determined under Revised Maximum Price Regulation 251, and such charges shall be separately stated on all contracts or invoices.

**(4) Bonded, tar, gravel and metal roofs.** Where it is necessary to preserve

the guarantee of a bonded roof, the price of the opening and restoration of the roof to its original condition, in accordance with the guarantee, shall be determined under RMPR-251.

Where it is necessary to open a roof, the exterior of which is composed of tar, gravel, or metal the price of the opening and restoration of the roof to its original condition shall be determined under RMPR-251.

**(5) Access to areas to be insulated.** The maximum prices fixed by this order include scaffolding and other means for access commonly used by the industry for the installation of insulation.

Where unusual conditions are encountered which require special scaffolding or other special means of access to areas to be insulated, the price of this special work shall be determined under RMPR-251.

**(6) Retaining material.** The price of furnishing and installing retaining materials other than the three standard types specified in this order shall be determined under RMPR 251.

**(7) Finished flooring.** The term finished flooring shall mean flooring strip or parquet up to three and one-quarter inches (3¼") wide, and other architecturally designed or antique flooring that has been sanded, filled, finished, waxed and pressure rubbed, or shellacked to form a finished product.

Where it is necessary to make openings in such floor for the insulation of areas under said floor, the price of the openings and restoration of the floor to its original condition shall be determined under RMPR-251.

**(8) Finished ceilings.** Where it is necessary to make openings in a ceiling, or overhang, finished with materials other than the three standard retaining materials specified in this order, for the insulation of areas above such ceiling, the price of the openings and restoration of the ceiling to its original condition shall be determined under RMPR-251.

**(9) Deliveries.** The maximum prices provided by this order shall apply to all installations of insulation made within a radius of ten miles of the seller's nearest place of business.

For installations of insulation at more distant points, one-half of one percent (½ of 1%) may be added to the total contract price for each mile in excess of 10 miles from the seller's nearest place of business.

**Sec. 4. Maximum prices.** The maximum prices for all sales of installed insulation in existing structures in the area covered by this order are set forth in Schedule A hereto annexed and made a part of this order. The prices fixed in this order apply to all sales in the area covered by this order regardless of the location of the seller's place of business.

**Sec. 5. Relationship of this order to other regulations and orders.** As previously stated, all provisions of Basic Order No. 3 are adopted by this order. The maximum prices fixed by this order supersede sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 as amended with respect to all sales of installed insulation in existing structures in the area covered by this order, unless



otherwise provided by this order. All other provisions of Revised Maximum Price Regulation No. 251 as amended are applicable to transactions covered by this order unless otherwise specifically provided in this order.

**SEC. 6. Notification.** Every person making sales of insulation covered by this order shall furnish to the purchaser at or before the starting of the work, a copy of the agreement pursuant to which the work is to be done. This agreement shall set forth the name and address of the buyer and of the seller, the location of the work, and an adequate description of the areas to be insulated, the materials to be used, and the services to be performed, and the amount to be paid. If any work other than insulation for which ceiling prices are fixed by this order is to be performed, the price of such work shall be separately stated.

**SEC. 7. Revocation or amendment.** This order may be revised, amended, revoked, or modified at any time by the Office of Price Administration.

This order shall become effective June 1, 1946.

Issued this 15th day of May, 1946.

DAVID J. WILLIAMS,  
Assistant to the Regional  
Administrator in Charge of  
New York District Office.

**SCHEDULE A—MAXIMUM PRICES FOR INSTALLED INSULATION IN EXISTING STRUCTURES AND RELATED AND INCIDENTAL CONSTRUCTION WORK IN THE NEW YORK AREA CONSISTING OF THE COUNTIES OF WESTCHESTER, BRONX, NEW YORK, KINGS, QUEENS, NASSAU, SUFFOLK AND RICHMOND, ALL IN THE STATE OF NEW YORK**

The prices listed below are per square foot, (4 inch thickness basis) for Insulation Wool as defined in Paragraph (b) of Basic Order No. 3 under section 9 of MPR 251.

**Flat Areas**

**Exposed ceilings:**

- |   | Prices per square ft. |
|---|-----------------------|
| 1. Open attics with over 24" clearance to roof. No roof opening necessary, open blowing conditions. Drawing 1.  | \$0.14                |
| 2. Under flat built up roofs (suspended ceiling) with over 24" clearance between roof and hung ceiling; open blowing conditions. (Price does not include cost of opening and closing). Drawing 2. | .15                   |

**Covered ceilings:**

- |   |     |
|---|-----|
| 3. Open attics with a single rough flooring (unfinished and accessible. No roof opening necessary. Price includes cost of removing and replacing flooring. Drawing 3. | .17 |
|---|-----|

Flat ceilings in closed spaces (prices do not include cost of opening and closing—items 4 to 10 inclusive).

- |  |     |
|--|-----|
| 4. Flat ceilings in closed spaces under pitched or sloping roofs where opening in roof is necessary, such as pocket areas behind knee walls, areas under roof ridges, or extensions which are practically flat. Drawing 6: |     |
| (a) Open floors.   | .15 |
| (b) Closed single rough flooring (unfinished)  | .17 |

**Covered ceilings—Continued.**

- |   |        |
|---|--------|
| 5. Ceilings in closed spaces under ridge of pitched roofs, where openings for the full length of ridge is necessary because of small clearance between ridge and ceiling area. Drawing 7. | \$0.17 |
| 6. Flat built up roof types including row house construction and commercial buildings. Drawings 2 and 8.  | .17    |
| 7. Garrison Overhang. Drawing 10.   | .19    |
| 8. Dormer tops. Drawing 11:   |        |
| (a) Where no retainer material is necessary.  | .15    |
| (b) Where retainer material is necessary. (Price includes installation of retainer material):   |        |
| Sisal kraft (includes belly band)   | .23    |
| Backer board.   | .25    |
| Corrugated board.   | .24    |
| 9. Bay windows. Drawing 12:   |        |
| (a) Top   | .19    |
| (b) Bottom  | .20    |

**Floors:**

- |   |     |
|---|-----|
| 10. Any exposed floors over garage ceilings, open porches or similar types of areas where the underside of the area to be insulated is closed and finished. Drawing 13.                         | .20 |
| 11. Any exposed floors where the areas to be insulated are not closed and finished and where retaining materials are required. Drawing 14. (Price includes installation of retainer materials): |     |
| Sisal kraft (includes belly band)   | .24 |
| Backer board.   | .26 |
| Corrugated board.   | .25 |

**Floors over unexcavated areas:**

- |  |     |
|--|-----|
| 12. Batts and blankets. (Full thick) Drawing 15:   |     |
| (a) Under 4 feet clearance.  | .20 |
| (b) Over 4 feet clearance.   | .18 |
| 13. 4" fill blown over retaining material and lath retaining surface. Drawing 16. (Price includes installation of retainer materials): |     |
| (a) Under 4 feet clearance:  |     |
| Sisal kraft (includes belly band)  | .28 |
| Backer board.  | .30 |
| Corrugated board.  | .29 |
| (b) Over 4 feet clearance:   |     |
| Sisal kraft (includes belly band)  | .25 |
| Backer board.  | .27 |
| Corrugated board.  | .26 |

**Sloping areas:**

- |  |     |
|--|-----|
| 14. All slopes where closed and finished on the interior side of the rafters. (Price does not include cost of opening and closing.) Drawing 17.  | .17 |
| 15. Open rafters and slopes where batts or blankets are used, such as pockets outside of knee walls where blow is impractical. (Price does not include cost of opening and closing.) Drawing 18. | .20 |
| 16. Open rafters and slopes. Insulation held in place by retaining material. (Price includes installation of retainer material.) Drawing 19.   |     |
| (a) Blowing:   |     |
| Sisal kraft (includes belly band)  | .24 |
| Backer board.  | .26 |
| Corrugated board.  | .25 |
| (b) Batts and blankets (full thick):   |     |
| Sisal kraft (includes belly band)  | .23 |
| Backer board.  | .25 |
| Corrugated board.  | .24 |

Prices per square ft.

**Knee walls and partitions:**

- |  |        |
|--|--------|
| 17. Interior plastered walls where no decoration is necessary except plaster patching. Drawing 20. (Price includes opening and closing)  | \$0.20 |
| 18. Knee walls adjacent to slopes and easily accessible (open studs), no openings required. (Price includes installation of retaining material.) Drawing 21:                     |        |
| (a) Retaining material—one side:   |        |
| Sisal kraft (includes belly band)  | .24    |
| Backer board.  | .26    |
| Corrugated board.  | .25    |
| (b) Retaining material—both sides:   |        |
| Sisal kraft (includes belly band)  | .32    |
| Rocker board.  | .36    |
| Corrugated board.  | .34    |
| (c) Batts and blankets—no retaining materials necessary.   | .19    |
| 19. Knee walls not accessible, requiring retaining material. Price includes installation of retaining material but does not include opening and closing.) Drawing 22:            |        |
| (a) Sisal kraft (includes belly band)  | .24    |
| Backer board.  | .26    |
| Corrugated board.  | .25    |
| (b) Batts and blankets—no retaining materials necessary.   | .20    |
| 20. Stairwells. (Price includes opening and closing.) Drawing 23:  |        |
| (a) Soffits  | .21    |
| (b) Walls (measurement of walls may be taken as rectangle from floor to ceilings)  | .21    |
| Exterior walls: All prices on gross basis. (Prices include cost of opening and closing):   |        |
| 21. Exterior walls (including gable and end walls) with inner finish whose outer surface is composed of:   |        |
| (a) Wood or asphalt shingles.  | .18    |
| (b) Wood clapboard.  | .13    |
| (c) Brick.   | .23    |
| (d) Stucco.  | .22    |
| (e) Asbestos-cement shingles.  | .20    |
| (f) Insulated brick. Drawings 24, 25, 26, 27 and 30.   | .22    |
| 22. Cable and end walls without inner finish, requiring standard retaining material. (Price includes installation of retaining material.) Drawings 25, 26, and 27:               |        |
| Sisal kraft (includes belly band)  | .23    |
| Backer board.  | .24    |
| Corrugated board.  | .23    |
| 22A. Batts and blankets—not requiring retaining material.  | .19    |
| 23. Dormer checks and faces with inner finish, unit cost per dormer. Up to 5'-0" in width—over 5'-0" in width same unit price as exterior walls. Drawings 28 and 29 (flat price) | 15.00  |
| 24. Dormer checks and faces without inner finish, requiring retaining material. (Price includes installation of retaining material.) Drawings 28 and 29:                         |        |
| (a) Sisal kraft (includes belly band)  | .22    |
| Backer board.  | .24    |
| Corrugated board.  | .23    |
| (b) Batts and blankets—no retaining materials necessary.   | .19    |

Prices per square ft.



25. Maximum prices for the following openings in types of roof indicated:

	Strip opening 12" wide (per linear ft.)	Manhole opening (per opening)
(a) Wood shingle.....	\$1.00	\$3.50
Asphalt or asbestos.....		
(b) Slate.....	1.50	6.00
Tile.....		
(c) Roll roofing.....	1.00	3.50
Built-up roofing.....		

26. Maximum price differentials per inch for thicknesses of insulation other than 4".

	Cents
(a) Above 4".....	2½
(b) Below 4".....	2

The maximum prices set forth above apply to installations of insulation made within a radius of ten miles of the seller's nearest place of business. In the case of installations of insulation at more distant points, one-half of one percent (½ of 1%), per mile may be added to the total contract price for each mile in excess of 10 miles from the sellers nearest place of business.

The drawings referred to by number in this schedule are hereto annexed and made a part of this schedule.

[F. R. Doc. 46-8547; Filed, May 21, 1946; 1:15 p. m.]

[Region III Order G-36 Under MPR 329, Amdt. 3]

#### FLUID MILK IN MICHIGAN

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered*, That:

(a) Section (b) of Order No. G-36 under Maximum Price Regulation No. 329 (Purchases of milk from producers for resale as fluid milk; adjustment of maximum prices milk distributors may pay producers in the State of Michigan) be and the same is hereby amended by deleting Mason County from the list of counties specified therein.

(b) Said order be and the same is hereby further amended by adding thereto a new section immediately following section (b) identified as section (b) (1) to read as follows:

(b) (1) Any milk distributor in the County of Mason in the State of Michigan may pay to producers for "milk" an amount not to exceed \$3.30 per hundredweight, f. o. b. plant for "milk" of 3.5% butterfat content, plus 5¢ for each one-tenth of 1% butterfat variation over 3.5% and minus 5¢ for each one-tenth of 1% butterfat variation under 3.5%; *Provided, however*, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e), and (f) of Maximum Price Regulation No. 329, except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.

This Amendment No. 3 shall become effective May 21, 1946.

Issued: May 21, 1946.

J. F. KESSEL,  
Regional Administrator.

Approved: May 20, 1946.

H. L. FOREST,  
Acting Director, Dairy Branch,  
Production and Marketing  
Administration, United States  
Department of Agriculture.

[F. R. Doc. 46-8537; Filed, May 21, 1946; 1:12 p. m.]

[Region III Order G-37 Under MPR 329, Amdt. 4]

#### FLUID MILK IN INDIANA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (a) of Maximum Price Regulation No. 329, *It is hereby ordered*, That:

(a) Section (a) of Order No. G-37 under Maximum Price Regulation No. 329 (Purchases of milk from producers for resale as fluid milk; adjustment of the maximum price milk distributors may pay producers in certain designated areas in the State of Indiana) be and the same is hereby amended by deleting the County of Madison from the list of counties specified therein.

(b) Section (b) of said order be and the same is hereby amended by deleting the County of Howard from the list of counties specified therein.

(c) Section (d) of said order be and the same is hereby amended to read as follows:

(d) Any milk distributor in the Counties of Allen, Boone, Cass, Clinton, Dubois, Elkhart, Fayette, Fulton, Grant, Howard, Huntington, Jasper, Johnson, Kosciusko, Madison, Marshall, Miami, Porter, Vanderburg, Wayne and Warrick in the State of Indiana may pay producers for "milk" an amount not to exceed \$3.45 per hundredweight, f. o. b. plant for milk of 4% butterfat content, plus 5¢ for each one-tenth of 1% butterfat variation over 4% and minus 5¢ for each one-tenth of 1% butterfat variation under 4%; *Provided, however*, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b) (c) (d) (e) and (f) of Maximum Price Regulation No. 329, except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.

This amendment shall become effective May 21, 1946.

Issued May 21, 1946.

J. F. KESSEL,  
Regional Administrator.

Approved: May 20, 1946.

H. L. FOREST,  
Acting Director, Dairy Branch,  
Production and Marketing  
Administration, U. S. Department of Agriculture.

[F. R. Doc. 46-8536; Filed, May 21, 1946; 1:12 p. m.]

[Birmingham 2d Rev. Order G-1 Under Gen. Order 50, Amdt. 10]

#### MALT AND CEREAL BEVERAGES IN ALABAMA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Birmingham District Office, Region IV, of the Office of Price Administration by General Order Number 50, issued by the Office of Price Administration and Revised Delegation Order Number 17, issued May 5, 1944, by the Regional Administrator of Region IV, the price list in Appendix B to 2d Revised Order G-1 under General Order Number 50 is hereby amended as follows:

1. The following brand or trade name with the maximum prices of 12 ounce and 32 ounce bottles thereof it added to Group 1-B under the appropriate columns:

Brand or trade name	Maximum price per bottle	
	12 ounces	32 ounces
Pilsener Club Beer.....	Cents 20	Cents 40

2. The following brand or trade name with the maximum prices for 12 ounce and 32 ounce bottles thereof is added to Group 2-B under the appropriate columns:

Brand or trade name	Maximum price per bottle	
	12 ounces	32 ounces
Pilsener Club Beer.....	Cents 18	Cents 36

3. The following brand or trade name with the maximum prices for 12 ounce and 32 ounce bottles thereof is added to Group 3-B under the appropriate columns:

Brand or trade name	Maximum price per bottle	
	12 ounces	32 ounces
Pilsener Club Beer.....	Cents 16	Cents 32

This amendment shall become effective immediately.

Issued this 25th day of April 1946.

SAM J. WATKINS,  
District Director.

[F. R. Doc. 46-8548; Filed, May 21, 1946; 1:15 p. m.]

[Region VI Order G-2 Under SO 142]

#### MEAKER CO.

#### AUTHORIZATION OF MAXIMUM PRICES

Order No. G-2 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and



equipment subject to Revised Maximum Price Regulation No. 136. Docket No. 6-SO 142-2 (b)-42.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 2 of Supplementary Order 142, as amended, *It is ordered:*

(a) The Meaker Company of 1629 S. 55th Avenue, Chicago 50, Illinois (hereinafter referred to as the seller) is hereby authorized to sell semiautomatic variable speed plating machines at a price not to exceed a 9.11% addition to its present legally established prices. Also for such additional six inches in depth of each unit (beyond the standard depth for that unit—covered by the list price) and additional charge of  $1\frac{1}{10}\%$  may be added to the list price. Such price shall be subject to all customary discounts as that term is defined in section 28 (a) of Revised Maximum Price Regulation No. 136.

(b) Maximum prices of resellers of semi-automatic variable speed plating machines manufactured by the Meaker Company are hereby increased by 9.11% over their presently established maximum prices; also for each additional six inches in depth of each unit (beyond the standard depth for that unit—covered by the list price) an additional charge of  $1\frac{1}{10}\%$  may be added to the new list price.

(c) If the reseller has no established maximum prices, the 9.11% increase may be added to the resellers price as established under the provisions of section 11 (c) and (d), Revised Maximum Price Regulation No. 136, under which subparagraphs the reseller determines his maximum prices if he is unable to price under paragraph (b) above; also for each additional six inches in depth of each unit (beyond the standard depth for that unit—covered by the list price) an additional charge of  $1\frac{1}{10}\%$  may be added to the new list price.

(d) In all cases the reseller's price shall be adjusted to reflect all applicable extra charges, discounts, allowances, handling and delivery charges or state and local taxes that the reseller had in effect on March 31, 1944 to a purchaser of the same class as defined in section 28 (a) of Revised Maximum Price Regulation No. 136.

(e) All requests not granted herein are denied.

(f) This order may be amended, modified or revoked at any time.

(g) This order shall become effective immediately.

(h) Issued this 8th day of April 1946.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 46-8539; Filed, May 21, 1946;  
1:12 p. m.]

[Region VI Order G-3 Under SO 142]

DAYTON ELECTRIC MFG. CO.

#### AUTHORIZATION OF MAXIMUM PRICES

Order No. G-3 under Supplementary Order No. 142. Adjustment provisions for sales of industrial machinery and equipment subject to Revised Maximum Price Regulation No. 136; Docket No. 7-SO 142-2 (b)-28-5.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 2 of Supplementary Order No. 142, as amended, *It is ordered:*

(a) The Dayton Electric Manufacturing Company (hereinafter referred to as the seller) is hereby authorized to increase its present maximum prices on exhaust fans by an amount not to exceed 25%. Such price shall be subject to all customary discounts allowed by the seller on March 1, 1942, to purchasers of the same class as that term is defined in section 28 (a) (7) of Revised Maximum Price Regulation No. 136.

(b) The reseller's maximum price of exhaust fans manufactured by the Dayton Electric Manufacturing Company is hereby increased 25% over its (the reseller's) presently established maximum prices.

(c) If the reseller has not established maximum prices the 25% increase may be added to the reseller's price as established under the provisions of section 11 (c) and (d) of Revised Maximum Price Regulation No. 136, under which subparagraph the sellers determine their maximum price if they are unable to qualify under paragraph (b) above.

(d) In all cases the reseller's price shall be adjusted to reflect all applicable extra charges, discounts, allowances, handling and delivery charges or state and local taxes that the reseller had in effect on March 31, 1944 to a purchaser of the same class as defined in section 28 (a) of Revised Maximum Price Regulation No. 136.

(e) Definitions. "Reseller" as used herein is limited to purchasers of exhaust fans who buy for resale to other than the ultimate consumer or user.

(f) All requests not granted herein are denied.

(g) This order may be amended, modified or revoked at any time.

(h) This order shall become effective immediately.

(i) Issued this 8th day of April 1946.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 46-8538; Filed, May 21, 1946;  
1:12 p. m.]

[Region VI Order No. G-7 Under Rev. SO 119]

AMERICAN PLYWOOD CORP.

#### ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion and under the authority vested in the Regional Administrator of Region VI of the Office of Price Administration under the provisions of section 16 of Revised Supplementary Order No. 119, this Order No. G-7 is issued:

(a) *What this order does.* This order establishes maximum prices for sales of hollow core doors manufactured by the American Plywood Corporation, New London, Wisconsin (hereinafter referred to as the "manufacturer").

(b) *Manufacturer's maximum prices.* The manufacturer's maximum prices of hollow core doors on and after the effective date of this order shall be as follows:

The maximum prices of flush doors which have hollow cores of insulating board of any species of lumber except fir, larch, spruce, or hemlock, and which have veneer faces of any species listed in section 26 (d) of Revised Maximum Price Regulation No. 293 shall be the manufacturer's maximum price under Revised Maximum Price Regulation No. 293 plus 25 percent.

(c) *Resellers' maximum prices.* The maximum prices of all resellers of hollow core doors covered by this order shall be increased by applying their percentage mark-up established under the applicable regulation to the manufacturer's adjusted maximum price as determined under paragraph (b) above.

(d) Manufacturer and resellers must maintain customary discounts, allowances, and handling and delivery charges.

(e) *Retailers.* All retailers of hollow core doors covered by this order shall determine their maximum prices after the effective date of this order in accordance with section 9 of Revised Maximum Price Regulation No. 293.

(f) *Notification.* At the time of or prior to the first invoice to the purchaser for resale, the manufacturer shall furnish such purchaser with a copy of this order.

(g) *Definitions.* (1) Reseller means any person who purchases hollow core doors subject to this order and who resells them to any person other than the ultimate consumer.

(2) Retailer is any person who purchases hollow core doors subject to this order and sells them to an ultimate consumer.

(h) *Applicability.* The maximum prices established by this order are applicable to all sales and deliveries of hollow core doors, subject to this order, made in the continental United States.

This order may be amended, modified, or revoked at any time.

This order No. G-7 shall become effective on the 18th day of April, 1946.

Issued this 18th day of April, 1946.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 46-8540; Filed, May 21, 1946;  
1:13 p. m.]

[Region VI Rev. Order G-14 Under RMPR 122, Amdt. 2]

SOLID FUELS IN MILWAUKEE COUNTY, WIS.

An opinion accompanying this Amendment has been issued simultaneously herewith. Revised Order No. G-14 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Paragraph (c), price schedule, subparagraph (1) is amended to read as follows:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices before discounts for sales of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal or coke for which prices are established. Column 2 shows the maximum prices for



"direct delivery" of domestic fuel sold in quantities of less than 1 ton. Column 3 shows the maximum price for direct delivery of domestic fuel sold in quantities of 1 ton or more.

Column 4 shows the maximum prices for "yard sales" of domestic fuel. Col-

umn 5 shows the maximum prices for "commercial" or "steam" sales and Column 6 shows the maximum prices for "yard sales to dealers." The terms "direct delivery," "yard sales" and "commercial sales" are defined in paragraph (1) of this order.

"Dealer at yard" prices established by this revised order may not be charged to dealers who do not have their principal place of business in Milwaukee County, Wisconsin. Such sales shall be priced under the provisions of Revised Maximum Price Regulation No. 122.

## AREA PRICES FOR MILWAUKEE, WIS.

1	2	3	4	5	6	1	2	3	4	5	6
Description	Domestic 1/2 ton	Domestic 1 ton or more	Domestic at yard	Commercial	Dealer at yard	Description	Domestic 1/2 ton	Domestic 1 ton or more	Domestic at yard	Commercial	Dealer at yard
I. Hi-volatile bituminous, district Nos. 2 and 3:						III. Hi-volatile bituminous, district No. 8—Continued.					
1. Lump—2" or larger.....	\$5.68	Per ton \$10.35	Per ton \$9.50	Delivered per ton	Per ton \$7.75	3. Steve—Continued.					
2. Egg and lump mixed.....	5.63	10.25	9.40		7.65	c. Dorothy.....	\$5.83	\$10.65	\$9.80	\$8.90	\$8.05
3. Steve—2" x 1 1/4" and larger.....	5.58	10.10	9.25		7.50	d. Island Creek.....	5.78	10.55	9.70	8.80	7.95
II. Low volatile bituminous, district No. 7:						4. Stoker:					
1. Egg—3" x 2" and larger.....	7.68	14.35	13.50	\$12.60	11.75	a. Rescreened.....	6.13	11.20	10.35	9.40	8.60
2. Stove—2" x 1 1/4" and larger.....	7.33	13.60	12.75	11.85	11.00	b. Unscreened.....	5.93	10.80	9.95	9.00	8.20
3. Nut—1 1/4" x 1 1/4" and larger.....	6.83	12.60	11.75	10.85	10.00	5. Screenings:					
4. Pea—3/8" x 1/2" and larger.....	6.38	11.70	10.85	9.95	9.10	a. Miller's Creek.....	5.33	9.65	8.80	7.85	7.05
5. Screenings—3/8" x 0 and larger.....	5.13	9.25	8.40	7.35	6.65	b. Elkhorn.....	5.33	9.65	8.80	7.85	7.05
6. Run of mine.....	5.93	10.80	9.95	9.05	8.20	c. Dorothy.....	5.23	9.45	8.60	7.65	6.85
III. Hi-volatile bituminous, district No. 8:						d. Island Creek.....	5.18	9.35	8.50	7.55	6.75
1. Lump—2" and larger:						IV. Hi-volatile bituminous, district No. 10 (southern subdistrict) price group Nos. 1, 2, and 8 (deep machine mines):					
a. Miller's Creek.....	6.28	11.55	10.70	9.80	8.95	1. Egg—6" x 3" size group No. 3.....	5.45	9.90	9.05		7.30
b. Elkhorn.....	6.13	11.20	10.35	9.45	8.60	2. Egg—3" x 2" size group No. 5.....	5.30	9.60	8.75		7.00
c. Dorothy.....	6.03	11.00	10.15	9.25	8.40	3. Deducted screenings size group Nos. 26 and 27.....	5.08	9.10	8.25		6.50
d. Island Creek.....	5.93	10.80	9.95	9.05	8.20	V. Pennsylvania anthracite:					
e. Hand picked fireplace, class a.....	6.58	12.10	11.25		9.50	1. Egg, stove, nut.....	8.88	16.70	15.85		14.15
2. Egg:						2. Pea.....	8.06	15.05	14.30		12.45
a. Miller's Creek.....	6.13	11.20	10.35	9.45	8.60	3. Buckwheat.....	7.00	12.95	12.10		10.35
b. Elkhorn.....	6.03	11.00	10.15	9.25	8.40	4. Rice.....	5.90	10.75	9.90		8.15
c. Dorothy.....	5.93	10.80	9.95	9.05	8.20	VI. By-product coke:					
d. Island Creek.....	5.83	10.65	9.80	8.90	8.05	1. Egg, stove, nut.....	7.65	14.25	13.40		11.55
3. Stove:						VII. Briquettes, all types.....	7.13	13.25	12.40		10.65
a. Miller's Creek.....	5.93	10.80	9.95	9.05	8.20						
b. Elkhorn.....	5.88	10.75	9.90	9.00	8.15						

This Amendment No. 2 to Revised Order No. G-14 supersedes Amendment No. 1 to Revised Order No. G-14 and also supersedes Order G-32 issued under Revised Maximum Price Regulation No. 122, as to dealers covered hereby.

This order shall become effective immediately.

Issued this 15th day of April 1946.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 46-8546; Filed, May 21, 1946;  
1:14 p. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register May 16, 1946.

## Region III

Charleston Order 14-F, Amendment 20, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:03 a. m.

Charleston Order 15-F, Amendment 59, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:03 a. m.

Charleston Order 16-F, Amendment 59, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:04 a. m.

Charleston Order 17-F, Amendment 58, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:04 a. m.

Cincinnati Order 10-W, Amendment 3, covering dry groceries in certain areas in Ohio. Filed 9:59 a. m.

Cincinnati Order 11-W, Amendment 2, covering dry groceries in certain counties in Ohio. Filed 9:59 a. m.

Cincinnati Order 5-O, Amendment 5, covering eggs in Hamilton and Montgomery counties, Ohio and Kenton and Campbell counties, Kentucky. Filed 9:58 a. m.

Cincinnati Order 7-O, covering eggs in Franklin county, Ohio. Filed 9:59 a. m.

Cleveland Order 38, Amendment 10, covering dry groceries in certain areas in Ohio. Filed 10:00 a. m.

Cleveland Order 39, Amendment 2, covering dry groceries in certain areas in Ohio. Filed 10:00 a. m.

Cleveland Order 5-W, Amendment 10, covering dry groceries in certain areas in Ohio. Filed 10:01 a. m.

Cleveland Order 7-W, Amendment 2, covering dry groceries in certain areas in Ohio. Filed 10:01 a. m.

Detroit Order 10-F, Amendment 46, covering fresh fruits and vegetables in Wayne and Macomb counties, Michigan. Filed 10:01 a. m.

Detroit Order 10-F, Amendment 47, covering fresh fruits and vegetables in certain counties in Michigan. Filed 10:02 a. m.

Detroit Order 10-F, Amendment 48, covering fresh fruits and vegetables in certain counties in Michigan. Filed 10:02 a. m.

Detroit Order 31, Amendment 2, covering dry groceries in certain counties in Michigan. Filed 9:53 a. m.

Detroit Order 32, Amendment 2, covering dry groceries in certain counties in Michigan. Filed 9:55 a. m.

Detroit Order 9-O, Amendment 17, covering eggs sold at retail in designated counties. Filed 9:54 a. m.

Detroit Order 10-O, Amendment 9, covering eggs in Wayne county, Michigan. Filed 9:55 a. m.

Indianapolis Order 20-W, Amendment 11, covering dry groceries in certain areas in Indiana. Filed 9:42 a. m.

Indianapolis Order 38, Amendment 11, covering dry groceries in certain areas in Indiana. Filed 9:55 a. m.

Indianapolis Order 39, Amendment 11, covering dry groceries in certain areas in Indiana. Filed 9:56 a. m.

Indianapolis Order 40, Amendment 12, covering dry groceries in certain areas in Indiana. Filed 9:56 a. m.

Indianapolis Order 8-O, covering eggs in certain counties in Indiana. Filed 9:57 a. m.

Indianapolis Order 9-O, covering eggs in certain counties in Indiana. Filed 9:57 a. m.

Indianapolis Order 19-W, Amendment 11, covering dry groceries in certain counties in Indiana. Filed 9:58 a. m.

Louisville Order 12-F, Amendment 68, covering fresh fruits and vegetables in Jefferson county, Kentucky and Clark and Floyd counties, Indiana. Filed 9:43 a. m.

Louisville Order 17-F, Amendments 33 and 34, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:43 a. m. and 9:44 a. m.

Louisville Order 18-F, Amendments 27 and 28, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:44 and 9:49 a. m.

Louisville Order 19-F, Amendments 27 and 28, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:51 a. m.

Louisville Order 26-F, Amendments 10 and 11, covering fresh fruits and vege-



tables in certain counties in Kentucky. Filed 9:52 a. m.

Louisville Order 28-F, Amendments 7 and 8, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:53 and 9:33 a. m.

Louisville Order 29-F, Amendments 7 and 8, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:33 and 9:34 a. m.

Louisville Order 28, Amendment 10, covering dry groceries in certain counties in Kentucky. Filed 9:34 a. m.

Louisville Order 30, Amendment 11, covering dry groceries in certain counties in Kentucky. Filed 9:35 a. m.

Louisville Order 32, Amendment 9, covering dry groceries in certain areas in Kentucky. Filed 9:35 a. m.

Louisville Order 33, Amendment 5, covering dry groceries in certain counties in Kentucky. Filed 9:38 a. m.

Louisville Order 36, Amendment 4, covering dry groceries in certain counties in Kentucky. Filed 9:40 a. m.

Louisville Order 3-C, Amendment 14, covering poultry in Jefferson county, Kentucky, and Clark and Floyd counties, Indiana. Filed 9:41 a. m.

Louisville Order 1-O, Amendment 3, covering eggs in Jefferson county, Kentucky, and Clark and Floyd counties, Indiana. Filed 10:56 a. m.

Louisville Order 1-O, Amendment 4, covering eggs in Jefferson county, Kentucky, and Clark and Floyd counties, Indiana. Filed 10:56 a. m.

#### Region IV

Birmingham Order 26-F, Amendment 30, covering fresh fruits and vegetables in Mobile county, Alabama. Filed 10:57 a. m.

Birmingham Order 29-F, Amendment 29, covering fresh fruits and vegetables in Dallas county, Alabama. Filed 11:05 a. m.

Columbia Order 8-F, Amendment 28, covering fresh fruits and vegetables in the State of South Carolina. Filed 11:13 a. m.

Jacksonville Order 13-F, Amendment 8, covering fresh fruits and vegetables in the Jacksonville, Florida, area. Filed 11:05 a. m.

Oklahoma City Orders 2-C and 1-O, covering poultry and eggs in Oklahoma, Tulsa and Muskogee counties, Oklahoma. Filed 10:54 a. m. and 10:55 a. m.

Oklahoma City Order 1-O, Amendment 22, covering eggs. Filed 10:54 a. m.

Raleigh Order 23, Amendment 2, covering dry groceries sold by Groups 1 and 2 stores in certain counties in the Raleigh area. Filed 11:10 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 46-8453; Filed, May 20, 1946; 12:00 m.]

[Region VI Order G-16 Under RMPR 122, Appendix 35]

SOLID FUELS IN BLOOMINGTON-NORMAL, ILL., AREA

(a) *Applicability.* This Appendix No. 35 applies to all delivered sales to con-

sumers of solid fuels made by retail yards where the fuel is delivered to the purchaser within the city limits of Bloomington, Illinois and of Normal, Illinois and within a radius of one mile of the city limits of Bloomington, Illinois and of Normal, Illinois.

(b) *Price schedule.* (1) Immediately below and as a part of this paragraph (b), is a price schedule which sets forth adjusted maximum prices before discounts for delivered sales of solid fuels of specified sizes, kinds, and quantities. All prices are stated on a net ton basis.

(2) On sales of less than one ton, the price shall be proportional to the price per ton plus an additional charge of 25 cents, but in no event shall the total price be in excess of that for a sale of one ton; for example, if the price of one ton is \$7.85, the price of  $\frac{1}{2}$  ton would be \$3.93 plus 25 cents or a total of \$4.18; the price of  $\frac{3}{4}$  ton would be \$5.89 plus 25 cents or a total of \$6.14.

(3) On sales of more than one ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of one ton is \$10.00, the price of  $1\frac{1}{2}$  tons would be \$15.00.

#### PRICE SCHEDULE

- I. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):
  1. Lump and egg, size group Nos. 1, 2, and 3; all single screened lump coal bottom size larger than 2"; all double screened egg coals bottom size larger than 3". Including 3" lump and larger, 8" x 4" egg, 6" x 4" egg, and 5" x 3 $\frac{1}{2}$ " egg:
    - a. Price classification A, mine index Nos. 49 and 50 only..... \$10.35
    - b. Price classification E, mine index No. 503 only..... 10.50
  2. Lump and egg, size group Nos. 1 and 2; all single screened lump coal bottom size larger than 3"; all double screened egg coals bottom size larger than 4", including 4" lump and larger and 8" x 4" egg:
    - a. Price classifications D through J inclusive except mine index Nos. 37, 220, 368, and 370..... 9.80
    - b. Price classifications K through O inclusive..... 9.60
  3. Egg, size group No. 6; all double screened egg coals top size larger than 5" but not exceeding 6" and bottom size 2" and smaller, also top size 3" and larger but not exceeding 5" and bottom size larger than 2" but not exceeding 3" including 6" x 2" and 5" x 3". Price classification C through K..... 9.60
  4. Egg, size group No. 7; all double screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller. Including 5" x 2" and 4" x 2"; price classifications E through M inclusive..... 9.35
  5. Stoker size group No. 10; all double screened stoker coals, top size not exceeding 1 $\frac{1}{4}$ " and bottom size less than 1 $\frac{1}{4}$ ":
    - a. Price classification A mine index Nos. 49 and 50 only..... 10.35
    - b. Price classification A except mine index Nos. 49 and 50..... 10.10
    - c. Price classifications B through E inclusive..... 10.00
    - d. Price classifications F through M inclusive..... 9.70

#### PRICE SCHEDULE—Continued

- II. High volatile bituminous coal from district No. 9 (western Kentucky):
  1. Lump and egg size group Nos. 1-6 inclusive; all single screened lump coals and all double-screened raw, washed or air-cleaned egg coals top size larger than 2"; No. 9 and 11 seams..... \$7.61
  2. Stoker size group Nos. 8-12 inclusive; all raw double-screened nut, stoker and pea coals top size not exceeding 2" and bottom size larger than 10 mesh or  $\frac{3}{32}$ "; No. 6 seam..... 7.91
- III. High volatile bituminous coal from district No. 10 (Illinois):
  - A. Southern subdistrict. Deep machine mines. Price group Nos. 1, 2, and 8:
    1. Lump, egg, and nut size group Nos. 1 through 5 inclusive; all lump, egg and nut coals bottom size larger than 1 $\frac{1}{2}$ " washed or raw, including 6" lump, 6" x 3" egg and 3" x 2" nut..... 7.60
    2. Special stoker size group Nos. 21, 22, and 28; all washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding  $\frac{3}{8}$ "..... 7.30
    3. Washed or dedusted screenings, size group Nos. 23, 24, 26, and 27; all washed, air-cleaned or dry dedusted screenings top size not exceeding 2"..... 7.05
  - B. Central subdistrict. Deep machine mines. Price group Nos. 12 and 13. All mines except mine index No. 57:
    1. Lump and egg; size group Nos. 1, 2, and 3; all lump and egg coals bottom size larger than 2" washed or raw, including 6" lump and 6" x 3" egg..... 6.20
    2. Washed screenings, size group Nos. 23 and 24; all washed or air-cleaned screenings top size not exceeding 2". Including  $\frac{3}{4}$ " x 28 mesh and 1 $\frac{1}{4}$ " x 28 mesh..... 5.85
  - C. Fulton Peoria subdistrict strip mines:
    1. Lump and egg; size group Nos. 1, 2, and 3; all lump and egg coals bottom size larger than 2" washed or raw, including 6" lump and 6" x 3" egg; price group Nos. 24, 25 and 26..... 5.80
    2. Egg, nut, and stove; size group Nos. 4 to 8 inclusive; all egg and stove coals bottom size 2" and smaller, washed or raw, including 5" x 2", 4" x 2", 3" x 2", and 2" x 1 $\frac{1}{4}$ "; price group Nos. 24 to 28 inclusive..... 5.55
    3. Washed nut and pea; size group Nos. 17 to 20 inclusive; all washed or air-cleaned nut and pea coal bottom size larger than 10 mesh or  $\frac{3}{32}$ " and top size not exceeding 2"; price group Nos. 27 and 28..... 6.10
- IV. High volatile bituminous coal from District No. 11 (Indiana):
  1. Lump and egg group Nos. 1, 2, and 3; all lump and egg coals bottom size larger than 2" washed or raw:
    - a. Price group No. 17, mine index No. 58 only..... 8.53
    - b. Price group Nos. 15 and 16..... 7.88
    - c. Price group No. 6..... 7.83
    - d. Price group Nos. 7 and 18..... 7.23
    - e. Price group Nos. 9-12 inclusive, except mine index No. 115..... 7.09



## PRICE SCHEDULE—Continued

IV. High volatile bituminous coal from District No. 11—Con.	
2. Egg size group Nos. 4 and 5; all egg coal, bottom size larger than 1½" but not larger than 2" and top size larger than 2", including 6" x 2", 4" x 2", and 3" x 2"; price group Nos. 15 and 16.	\$7.63
3. Stoker size group Nos. 9-12, inclusive; all raw nut and pea coal bottom size larger than 10 mesh or ¾" and top size not exceeding 2"; price group No. 6.	7.53
V. Pennsylvania anthracite:	
1. Egg, stove, and nut (ash content not in excess of OPA quality standards)	17.90
2. Egg, stove and nut (ash content in excess of OPA quality standards)	16.90

To the above maximum price there may be added the Illinois Retailers Occupational Tax and also the Federal Transportation Tax of 4 cents per ton.

(c) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this Appendix No. 35, provided that the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(d) *Discounts.* The maximum prices set forth in Section (b) above shall be subject to the following discounts:

(i) On sales of coal picked up at the dealer's yard by consumers	\$0.50
(ii) On sales to users of fifty tons or more in one delivery	.50

(e) Immediately below and as a part of this section (e) is a schedule of service charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this Appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be stated separately on the dealer's invoice.

(i) Trimming (inside)	\$0.25
(ii) Wheeling from curb	.50
(iii) Carrying from curb	.75
(iv) Carrying upstairs	1.25

<sup>1</sup> Extra per flight of stairs.

(f) *Definitions.* (1) "Delivered" or "delivery" means dumping or chuting of fuel from the seller's vehicle directly into the buyer's bin or storage space; but, if this is physically impossible, the terms refer to the discharge of the fuel directly from the seller's vehicle at a point where this can be done and which is nearest and most accessible to the buyer's bin or storage space.

(2) Except as otherwise provided herein or as the context may otherwise require, all terms used in this Appendix shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942, if not therein defined, they shall be given their customary trade meaning.

This Appendix No. 35 to Order No. G-16 shall become effective April 15, 1946.

Issued this 4th day of April 1946.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 46-8544; Filed, May 21, 1946; 1:14 p. m.]

[Region VI Order G-16 Under RMPR 122, Corr.]

## SOLID FUELS IN LINCOLN, NEBR. AREA

In the mimeographed copy of the above described document, in Appendix No. 15 to Order No. G-16, Paragraph (b), subsection III, A, 1, should read as follows:

1. Washed Egg—Size Group No. 3 (all washed double screened coals with a top size larger than 3" but not exceeding 10" bottom size larger than 1½")	\$9.58
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Issued this 6th day of May 1946.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 46-8545; Filed, May 21, 1946; 1:14 p. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register May 16, 1946.

## Region III

Cincinnati Order 16-F, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:05 a. m.

Cincinnati Order 17-F, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:05 a. m.

Cincinnati Order 18-F, covering fresh fruits and vegetables in certain counties in Ohio and Kentucky. Filed 10:06 a. m.

Cincinnati Order 19-F, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:06 a. m.

Cincinnati Order 26, Amendment 3, covering dry groceries in certain areas in Ohio. Filed 10:17 a. m.

Cincinnati Order 27, Amendment 2, covering dry groceries in certain counties in Ohio. Filed 10:17 a. m.

Cincinnati Order 28, Amendment 2, covering dry groceries in certain counties in Ohio. Filed 10:18 a. m.

Cincinnati Order 29, Amendment 2, covering dry groceries in certain counties in Ohio. Filed 10:18 a. m.

Louisville Order 2-O, Amendment 1, covering eggs in certain counties in Kentucky. Filed 10:57 a. m.

## Region IV

Atlanta Order 35-C, Amendment 10, covering poultry in Zone No. 25. Filed 10:57 a. m.

Columbia Order 27-C, Amendment 10, covering poultry in Richland and Lexington counties, South Carolina. Filed 11:13 a. m.

Jacksonville Order 14-F, Amendment 27, covering fresh fruits and vegetables

in the city of Jacksonville, Florida. Filed 11:06 a. m.

Jacksonville Order 15-F, Amendment 2, covering fresh fruits and vegetables in the city of Pensacola, Florida. Filed 11:06 a. m.

Memphis Order 9-F, Amendment 10-A, covering fresh fruits and vegetables in the Memphis area except Shelby county. Filed 11:07 a. m.

Nashville Order 13-F, Amendment 13, covering fresh fruits and vegetables in Tennessee. Filed 11:07 a. m.

Nashville Order 14-F, Amendment 30, covering fresh fruits and vegetables in certain counties in Tennessee and the Municipality of Bristol, Virginia. Filed 11:08 a. m.

Nashville Order 14-F, Amendment 31, covering fresh fruits and vegetables in certain counties in Tennessee and the Municipality of Bristol, Virginia. Filed 11:08 a. m.

Nashville Order 14-F, Amendment 32, covering fresh fruits and vegetables in certain areas in Tennessee and Bristol, Virginia. Filed 11:09 a. m.

Raleigh Order 13-F, Amendment 27, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 11:01 a. m.

Raleigh Order 14-F, Amendment 15, covering fresh fruits and vegetables in certain areas in North Carolina. Filed 11:01 a. m.

Raleigh Orders 11-C, 12-C, Amendment 12, covering poultry in certain counties in North Carolina. Filed 11:11 and 11:12 a. m.

Raleigh Order 25, Amendment 3, covering dry groceries sold by Groups 1 and 2 stores in certain counties in the Raleigh area. Filed 11:10 a. m.

Raleigh Order 8-W, Amendment 3, covering dry groceries at wholesale in certain counties in the Raleigh area. Filed 11:12 a. m.

## Region V

Dallas Order 4-F, Amendment 42, covering fresh fruits and vegetables in Dallas county, Texas. Filed 11:14 a. m.

Dallas Order 6-F, Amendment 31, covering fresh fruits and vegetables in McLennan county, Texas. Filed 11:14 a. m.

Dallas Order 8-F, covering fresh fruits and vegetables in certain counties in Texas. Filed 11:15 a. m.

Dallas Orders 4-C and 10-O, covering poultry and eggs in cities of Dallas and University Park and Town of Highland Park, Texas. Filed 11:16 and 11:17 a. m.

Dallas Order 10-O, Amendment 21, covering eggs sold by Group 1 and 2 stores. Filed 11:17 a. m.

Fort Worth Order 13-F, Amendment 44, covering fresh fruits and vegetables in Tarrant county, Texas. Filed 11:30 a. m.

Fort Worth Order 19-F, Amendment 32, covering fresh fruits and vegetables in Taylor, Tom Green and Wichita counties, Texas. Filed 11:18 a. m.

Fort Worth Order 23-F, Amendment 1, covering fresh fruits and vegetables in Lubbock, Potter and Randall county within the city limits of Amarillo. Filed 11:19 a. m.

Fort Worth Order 25-F, Amendment 1, covering fresh fruits and vegetables in



Brown, Eastland, Haskell and Jones counties, Texas. Filed 11:19 a. m.

Fort Worth Order 26-F, covering fresh fruits and vegetables in certain counties in Texas. Filed 11:20 a. m.

Fort Worth Order 20, Amendment 2, covering dry groceries sold by Groups 1 and 2 stores. Filed 11:21 a. m.

Houston Order 8-F, covering fresh fruits and vegetables in Jasper, Newton, and Tyler counties, Texas. Filed 10:49 a. m.

Houston Order 9-F, covering fresh fruits and vegetables in Galveston county, Texas. Filed 10:49 a. m.

Houston Order 10-F, covering fresh fruits and vegetables in certain areas in Texas. Filed 10:50 a. m.

Houston Order 11-F, covering fresh fruits and vegetables in certain areas in Texas. Filed 10:50 a. m.

Houston Orders 2-C and 4-O, covering poultry and eggs in Harris county, Texas. Filed 10:51 and 10:52 a. m.

Houston Orders 3-C and 5-O, covering poultry and eggs in Orange and Jefferson counties, Texas. Filed 10:51 a. m.

Houston Orders 4-C and 6-O, covering poultry and eggs in Galveston county, Texas. Filed 10:51 and 10:52 a. m.

Kansas City Order 4-F, Amendment 44, covering fresh fruits and vegetables in Johnson and Wyandotte counties, Kansas; Jackson county, Missouri, and the City of North Kansas City, Mo. Filed 10:46 a. m.

Kansas City Order 9-F, Amendment 28, covering fresh fruits and vegetables in Buchanan county, Missouri. Filed 10:47 a. m.

Kansas City Order 10-F, Amendment 28, covering fresh fruits and vegetables in Greene county, Missouri. Filed 10:48 a. m.

Kansas City Order 11-F, Amendment 28, covering fresh fruits and vegetables in Jasper county, Missouri. Filed 10:48 a. m.

Kansas City Order 12-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Missouri. Filed 10:44 a. m.

Kansas City Orders 9-C and 11-O, covering poultry and eggs in Johnson and Wyandotte counties, Kansas; city of North Kansas City, Jackson and Buchanan counties, Missouri. Filed 10:44 a. m.

Kansas City Orders 10-C and 12-O, covering poultry and eggs in Greene and Jasper counties, Missouri. Filed 10:45 a. m.

New Orleans Order 3-F, Amendment 42, covering fresh fruits and vegetables in Louisiana, Parishes of Orleans, St. Bernard and Jefferson except Grand Isle. Filed 10:45 a. m.

New Orleans Order 5-F, Amendment 33, covering fresh fruits and vegetables in the cities of Shreveport, Bossier City, Monroe, and West Monroe. Filed 10:41 a. m.

New Orleans Order 6-F, Amendment 33, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 10:42 a. m.

New Orleans Order 7-F, covering fresh fruits and vegetables in certain parishes of Louisiana. Filed 10:43 a. m.

New Orleans Order 8-F, covering fresh fruits and vegetables in certain parishes of Louisiana. Filed 10:33 a. m.

Oklahoma City Order 8-F, Amendment 30, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 10:34 a. m.

Oklahoma City Order 8-F, Amendment 31, covering fresh fruits and vegetables. Filed 10:34 a. m.

Oklahoma City Order 9-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 10:33 a. m.

Oklahoma City Order 9-F, Amendment 9, covering fresh fruits and vegetables. Filed 10:35 a. m.

Oklahoma City Orders 2-C and 1-O, covering poultry and eggs in Oklahoma, Tulsa and Muskogee counties, Oklahoma. Filed 10:39 and 10:41 a. m.

Oklahoma City Order 8-F, Amendment 32, covering fresh fruits and vegetables in Oklahoma, Pottawatomie, Garfield, Tulsa and Muskogee counties, Oklahoma. Filed 10:35 a. m.

St. Louis Order 4-F, Amendment 43, covering fresh fruits and vegetables in the city of St. Louis and county of St. Louis, Missouri. Filed 10:53 a. m.

St. Louis Orders 3-C and 2-O, covering poultry and eggs in the city of St. Louis and county of St. Louis, Missouri. Filed 10:53 a. m.

Copies of any of those orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 46-8486; Filed, May 20, 1946  
4:42 p. m.]

[Region VI Order G-16 Under RMPR 122,  
Appendix 36]

#### SOLID FUELS IN OSHKOSH, WIS. AREA

(a) *Applicability.* This Appendix No. 36 applies to all delivered sales to consumers of solid fuels made by retail yards where the fuel is delivered to the purchaser within the city limits of Oshkosh, Wisconsin, and within a radius of two miles beyond the city limits of Oshkosh, Wisconsin.

(b) *Price schedule.* (1) Immediately below and as part of this paragraph (b) is a schedule which sets forth adjusted maximum prices before discounts for delivered sales of solid fuels of specified sizes, kinds and quantities. All prices are stated on a net ton basis. Prices in this schedule shall also apply to retail sales of producers of package fuel. Producers at plant sales are not covered by this schedule.

(i) On domestic delivered sales of less than one ton the price shall be proportional to the price per ton plus an additional charge of 35 cents, but in no event shall the total price be in excess of that for a sale of one ton; for example, if the price of one ton is \$7.85, the price of  $\frac{1}{2}$  ton would be \$3.93 plus 35 cents or a total of \$4.28; the price of  $\frac{3}{4}$  ton would be \$5.89 plus 35 cents or a total of \$6.24.

(ii) On domestic delivered sales of more than one ton for each fraction of a

ton sold, the price shall be proportional to the price per ton; for example, if the price of one ton is \$10.00, the price of  $1\frac{1}{2}$  tons would be \$15.00.

#### PRICE SCHEDULE

Domestic  
delivered  
per ton

- I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):
  1. Egg size group No. 2; all egg coal top size larger than 3" bottom size no limit; price classification A except mine index No. 73:
    - a. Forked or screened..... \$13.70
    - b. Shovelled or car run..... 13.20
  2. Stove size group No. 3; all stove coal top size larger than  $1\frac{1}{4}$ " but not exceeding 3"; bottom size smaller than 3"; price classification A:
    - a. Forked or screened..... 13.50
    - b. Shovelled or car run..... 13.00
  3. Nut. Price classification A..... 12.70
  4. Stoker or pea, size group No. 5; top size not exceeding  $\frac{3}{8}$ ", bottom size smaller than  $\frac{3}{8}$ "; price classification A..... 11.45
  5. Screened mine run, size group No. 6; straight run of mine from which all or part of the screenings top size  $\frac{3}{8}$ " or  $\frac{3}{4}$ " have been removed; price classifications A and B..... 12.00
  6. Screenings..... 9.85
- II. Low volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):
  - A. From mine index No. 391; Raven No. 2 mine of the Raven Red Ash Coal Co.:
    1. Egg, size group No. 2; all double screened egg coal top size larger than 3":
      - a. Forked or screened..... 13.30
      - b. Shovelled or car run..... 12.80
    2. Stove size group No. 3; all double screened stove coal top size larger than  $1\frac{1}{4}$ " but not exceeding 3":
      - a. Forked or screened..... 13.25
      - b. Shovelled or car run..... 12.75
    3. Stoker or pea coal; size group No. 5: (all double screened pea coal top size not exceeding  $\frac{3}{8}$ "; price classification A..... 10.95
  - III. Mid volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):
    1. Egg, size group No. 5; all double screened egg coals top size larger than 5" but not exceeding 6" and bottom size larger than 2" but not exceeding 3"; and top size larger than 6" and bottom size 2" and smaller, including 6" x 3"; price classification G thru K inclusive, including mine index No. 234..... 11.60
    2. Stove size group No. 8; all double screened stove coals top size larger than 2" but not exceeding 3" and bottom size 2" and smaller; including 3" x 2"; price classifications E through M inclusive, including mine index No. 234..... 11.20



## PRICE SCHEDULE—Con.

	Domestic delivered per ton
IV. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Egg and stove:	
a. Elkhorn seam	\$11.95
b. Dorothy and No. 5 block seams	11.75
c. Island Creek and hazard seams	11.45
2. Domestic stoker:	
a. Premium Kentucky and Elkhorn seams	11.45
V. High volatile bituminous coal from district No. 10 (Illinois):	
1. Lump and egg size group Nos. 1-5 inclusive; all lump and egg coals bottom size larger than 1½" washed or raw, including 6" lump, 6" x 3" and 3" x 2"; southern subdistrict deep machine mines; price group Nos. 1, 2 and 8	10.10
VI. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg size group Nos. 1, 2 and 3; all lump and egg coal bottom size larger than 2" washed or raw:	
a. Price group No. 13	9.59
b. Price group Nos. 9-12 inclusive	9.03
2. Washed nut and pea size group Nos. 17-22 inclusive; all washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter, top size not exceeding 2"; price group No. 13	9.18
VII. Briquettes low volatile:	
1. Stott	14.45
2. Berwind, Reiss, United and Ubbink	14.10
VIII. Pennsylvania anthracite:	
1. Egg, stove and nut:	
a. Ash content not in excess of OPA quality standards	18.05
b. Ash content in excess of OPA quality standards	17.05
2. Pea:	
a. Ash content not in excess of OPA quality standards	16.30
b. Ash content in excess of OPA quality standards	15.50
3. Buckwheat:	
a. Ash content not in excess of OPA quality standards	14.75
b. Ash content in excess of OPA quality standards	14.15
IX. Byproduct coke:	
1. Chicago or Milwaukee Solvay, Chicago Koppers, Ford	15.60
X. Package fuel:	
1. Coal Blox, manufactured by Cleveland Cliffs Iron Co.	17.25
2. Pocahontas, manufactured by Frank Kriz and Co.	15.57
3. Petroleum, manufactured by Frank Kriz and Co.	15.87

To the above maximum prices there may be added the Federal Transportation Tax of 4 cents per ton.

(c) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for chemical or oil treatment of coal, he may add such treatment charge to the applicable maximum price established by this Appendix provided that the treated coal is kept separate from and is not mixed with untreated coal. When a treatment charge is made pursuant to this section, the dealer need

not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(d) *Discounts.* The maximum prices set forth in section (b) above shall be subject to the following discounts:

(i) If payment is made by the purchaser on or before the tenth of the month following delivery, 50 cents per ton.

(ii) Users of 40 tons or more during a heating season, 50 cents per ton (from the net retail price).

(iii) For coal picked up at the yard by domestic consumer in lots of ½ ton or more, 50 cents per ton (from the net retail price).

(e) Immediately below and a part of this section (e) is a schedule of service charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this Appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be stated separately on the dealer's invoice.

## SCHEDULE OF SERVICE CHARGES

	Per ton
Carry from curb—coal	\$0.50
Carry from curb—coke	1.00
Carry upstairs—coal	1.00
Carry upstairs—coke	2.00

(f) *Commercial and steam sales.* Commercial and steam sales shall continue to be priced under the provisions of Revised Maximum Price Regulation No. 122.

(g) *Notification.* Every dealer subject to this order selling Pennsylvania Anthracite which has been identified by his supplier prior to its resale as Anthracite with an ash content in excess of OPA quality standards must place the following legend on the invoice, sales slip, or receipt: "Price reduced because of high ash content." Such Anthracite must be kept separate in storage and delivery from all other Anthracite.

(h) *Definitions.* (1) "Domestic sales" means all sales other than sales made to commercial and industrial users such as hotels, industrial plants, office buildings, large department store and institutional users such as hospitals, public institutions, and public buildings.

(2) The term "delivered" or "direct delivery" means dumping or chuting the fuel from the seller's trucks directly into the buyer's bin or storage space but if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(3) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or in the Emergency Price Control Act of 1942, as amended; if not therein defined they shall be given their ordinary and popular trade meaning.

This order may be amended, modified, or revoked at any time.

This Appendix No. 36 shall become effective immediately.

Issued this 20th day of April 1946.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 46-8543; Filed, May 21, 1946; 1:14 p. m.]

[Region IV Order G-5 Under Gen. Order 68, Revocation]

## SOFTWOOD PLYWOOD IN ATLANTA REGION

Order of Revocation of Order No. G-5 under General Order 68; maximum prices for retail sales of softwood plywood in a certain described area; Docket No. IV-GO 68-5.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by General Order 68, *It is hereby ordered:*

That Regional Order G-5 under General Order 68, covering retail sales of softwood plywood in the area described in Order G-5 should be, and the same is hereby revoked.

This order shall become effective immediately.

Issued April 16, 1946.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 46-8366; Filed, May 17, 1946; 4:50 p. m.]

[Region IV Order G-3 Under Gen. Order 68, Revocation]

## SOFTWOOD PLYWOOD IN ATLANTA REGION

Order of revocation of Order No. G-3 under General Order 68; maximum prices for retail sales of softwood plywood in a certain described area; Docket No. IV-GO 68-3.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by General Order 68, *It is hereby ordered:*

That Regional Order G-3 under General Order 68, covering retail sales of softwood plywood in the area described in Order G-3 should be, and the same is hereby revoked.

This order shall become effective immediately.

Issued April 16, 1946.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 46-8368; Filed, May 17, 1946; 4:50 p. m.]

[Region IV Order G-4 Under Gen. Order 68, Revocation]

## SOFTWOOD PLYWOOD IN ATLANTA REGION

Order of revocation of Order No. G-4 under General Order 68; maximum prices for retail sales of softwood plywood in a certain described area; Docket No. IV-GO 68-4.

For the reasons set forth in an opinion issued simultaneously herewith and un-



der the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by General Order 68, it is hereby ordered:

That Regional Order G-4 under General Order 68, covering retail sales of softwood plywood in the area described in Order G-4 should be, and the same is hereby revoked.

This order shall become effective immediately.

Issued April 16, 1946.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 46-8367; Filed, May 17, 1946;  
4:50 p. m.]

[Region VI Order G-16 Under RMPR 122,  
Appendix 37]

#### SOLID FUELS IN MACOMB, ILL., AREA

(a) *Applicability.* This Appendix No. 37 applies to all sales of solid fuels by retail yards delivered within the city limits of Macomb, Illinois.

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for "domestic delivered" sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On "domestic delivered" sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 25 cents, but in no event shall the total price be in excess of that for the sale of 1 ton; for example, if the price of 1 ton is \$7.85, the price of  $\frac{1}{2}$  ton would be \$3.93 plus 25 cents or a total of \$4.18; the price of  $\frac{3}{4}$  ton would be \$5.89 plus 25 cents or a total of \$6.14.

(ii) On "domestic delivered" sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is \$10.00, the price of  $1\frac{1}{2}$  tons would be \$15.00.

PRICE SCHEDULE	Domestic delivered per ton
I. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia; western Virginia, northern Tennessee, and North Carolina):	
1. Lump, size group Nos. 1 and 2; all single screened lump coal, bottom size larger than 3". Price classification E through J inclusive.	\$11.15
II. High volatile bituminous coal from district No. 9 (western Kentucky):	
1. Lump and egg size group Nos. 1-6 inclusive; all single screened lump coals and all double screened raw, washed or air cleaned egg coals, top size larger than 2":	
(a) No. 14 and stray seams.	7.11
(b) No. 9 and 11 seams.	6.86
2. Washed or air-cleaned screenings, size group Nos. 23 and 24; all washed or air-cleaned screenings larger than $\frac{3}{8}$ " x 0 but not exceeding 2" x 0:	
(a) No. 9 and 11 seams.	6.96

#### PRICE SCHEDULE—Con.

III. High volatile bituminous coal from district No. 10 (Illinois)	
A. Southern subdistrict—Deep machine mines, price group Nos. 1, 2 and 8:	
1. Lump, egg and stove; size group Nos. 1, 2, 3, 4, 5, 6 and 8; all lump and egg coals bottom size larger than 2" washed or raw. All lump, egg and stove coals bottom size 2" and smaller, washed or raw; including 6" lump, 6" x 3" egg, 3" x 2" nut and 2" x 1 $\frac{1}{4}$ " stove.	\$7.65
2. Special stoker size group Nos. 21, 22 and 28; all washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; and all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding $\frac{3}{8}$ "; including G-14, air flow, par fuel, super V, supertherm, deluxe, S. P. stoker.	7.35
3. Washed and dedusted screening size group Nos. 23, 24, 26 and 27; all washed, air-cleaned and dry dedusted screenings top size not exceeding 2"; including Universal, Commercial and S. P. stoker.	6.70
B. Southern subdistrict, strip mines, price group No. 7:	
1. Lump and egg size group Nos. 1, 2 and 3; all lump and egg coal bottom size larger than 2" washed or raw.	6.90
C. Belleville subdistrict price group Nos. 16-22 inclusive:	
1. Lump and egg; size group Nos. 1, 2 and 3; all lump and egg coals bottom size larger than 2" washed or raw:	
(a) Deep machine mines.	6.90
(b) Strip mines.	6.85
2. Washed nut and pea; size group Nos. 17 to 20 inclusive; all washed or air cleaned nut, and pea coal bottom size larger than 10 mesh or $\frac{3}{8}$ " and top size not exceeding 2":	
(a) Strip mines.	6.70
D. Fulton Peoria subdistrict strip mines:	
1. Lump and egg; size group Nos. 1, 2 and 3; all lump and egg coals bottom size larger than 2" washed or raw:	
(a) Price group Nos. 27 and 28.	5.70
(b) Price group Nos. 24, 25 and 26.	5.65
2. Egg and stove; size group Nos. 4, 5, 6 and 8; all egg and stove coals bottom size 2" and smaller washed or raw:	
(a) Price group Nos. 24, 25 and 26.	5.65
3. Washed screenings size group Nos. 23 and 24; all washed or air cleaned screenings top size not exceeding 2":	
(a) Price group Nos. 27 and 28.	5.60
IV. Pennsylvania anthracite:	
1. Egg, stove and nut; ash content not in excess of OPA quality standards.	18.90

To the above maximum prices there may be added the Retailer's Occupational Tax of the State of Illinois and also the Federal Transportation Tax of 4 cents per ton.

To the price of any size or kind of coal subject to Revised Maximum Price Regulation No. 122 not specified in the price

schedule above may be added 55 cents per ton.

(c) *Charges for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this Appendix No. 37, provided that the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(d) *Discounts.* The maximum price set forth in section (b) above shall be subject to a discount of \$0.50 per ton where picked up by a domestic consumer at the dealer's yard.

(e) Immediately below and as a part of this section (e) is a Schedule of Service Charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this Appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated on the dealer's invoice.

#### SCHEDULE OF SERVICE CHARGES

	Per ton
(1) Carry or wheel from curb.	\$0.50
(2) Carry upstairs.	.75

(f) *Steam or commercial sales.* Steam or commercial deliveries of screenings and stoker coal, size group nos. 21, 22, 23, 24, 26, 27 and 28; and 17 to 20 inclusive, shall be sold at \$0.50 per ton less than the domestic delivered prices set forth in the price schedule in (b) above.

(g) *Definitions.* (1) "Domestic sales" means all sales other than sales made to commercial and industrial users such as hotels, industrial plants, office buildings, large department stores, institutional users such as hospitals, public institutions, and public buildings.

(2) "Delivered" or "delivery" means dumping or chuting of fuel from the seller's vehicle directly into the buyer's bin or storage space; but if this is physically impossible, the terms refer to the discharge of the fuel directly from the seller's vehicle at a point where this can be done and which is nearest and most accessible to the buyer's bin or storage space.

(3) Except as otherwise provided herein or as the context may otherwise require, all terms used in this Appendix shall bear the meaning given them in Revised Maximum Price Regulations No. 122 or the Emergency Price Control Act of 1942; if not therein defined, they shall be given their customary trade meaning.

This order may be amended, modified or revoked at any time.

This Appendix No. 37 to Order No. G-16 shall become effective May 1, 1946.

Issued this 30th day of April 1946.

R. E. WALTERS,  
Regional Administrator.

[F. R. Doc. 46-8542; Filed, May 21, 1946;  
1:13 p. m.]



[Region III Order G-18 Under Rev. SO 119, Amdt. 1]

U. S. MACHINE CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 15 of Revised Supplementary Order No. 119, *It is hereby ordered:*

Order No. G-18 under Revised Supplementary Order No. 119 is hereby amended in the following respects:

1. Paragraph (a) is hereby amended to read as follows:

(a) *What this order does.* This order provides an adjustment of the maximum prices for the stokers described in paragraph (b) hereof manufactured by U. S. Machine Corporation of Lebanon, Indiana (hereinafter referred to as the manufacturer). This order also provides an adjustment for resellers of such commodities.

2. Paragraph (b) is hereby amended to read as follows:

(b) *Adjusted maximum prices.* The manufacturer is hereby authorized to increase its maximum prices to all classes of purchasers, established under Maximum Price Regulation No. 188 or Maximum Price Regulation No. 591, as the case may be, excluding any prior adjustments which may have been granted under either of said Maximum Price Regulations, for stokers under 1200 lbs. per hour capacity manufactured by it, by not more than 16.73%.

3. Appendix A is hereby revoked and deleted from said order.

This amendment shall become effective April 18, 1946.

Issued April 18, 1946.

A. D. RUEGSEGER,  
Acting Regional Administrator.

[F. R. Doc. 46-8364; Filed, May 17, 1946; 4:49 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 7-910 to 7-918]

AMERICAN AIRLINES, INC., ET AL.

ORDER SETTING HEARING ON APPLICATIONS TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of May, A. D. 1946.

In the matter of applications by the San Francisco Stock Exchange to extend unlisted trading privileges to American Airlines, Inc., Common Stock, \$1 Par Value, File No. 7-910; Columbia Gas & Electric Corporation, Common Stock, No Par Value, File No. 7-911; Commonwealth & Southern Corporation, Common Stock, No Par Value, File No. 7-912; Curtis Publishing Company, Common Stock, No Par Value, File No. 7-913; Hupp Motor Car Corporation, Common Stock, \$1 Par Value, File No. 7-914; Pan American Air-

ways Corporation, Capital Stock, \$2.50 Par Value, File No. 7-915; Pepsi Cola Company, Common Stock, \$0.33 1/3 Par Value, File No. 7-916; Radio Keith Orpheum Corporation, Common Stock, \$1 Par Value, File No. 7-917; F. W. Woolworth Company, Capital Stock, \$10 Par Value, File No. 7-918.

The San Francisco Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

*It is ordered,* That the matter be set down for hearing at 10:00 a. m. on Monday, June 17, 1946, at the office of the Securities and Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

*It is further ordered,* That John G. Clarkson, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-8568; Filed, May 22, 1946; 10:56 a. m.]

[File No. 54-130]

INTERSTATE POWER CO.

NOTICE OF FILING AND NOTICE OF AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of May, A. D. 1946.

I. Notice is hereby given that Interstate Power Company ("Interstate"), a registered holding company and a subsidiary of Ogden Corporation ("Ogden"), also a registered holding company, has filed, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, an Amended Plan for the reorganization of Interstate. The Amended Plan provides, among other things, in addition to the transactions proposed in the plan heretofore filed, for the reorganization of Interstate prior to determination of the validity and rank of Ogden's holdings in Interstate and, pending such determination, for the deposit pursuant to a proposed escrow agree-

ment of funds representing Ogden's claims in respect of such holdings.

All interested persons are referred to said Amended Plan, which is on file in the office of the Commission, for a full statement of the transactions therein proposed, which may be summarized as follows:

Interstate is an electric and gas utility company, operating in Iowa, Minnesota and South Dakota. It is also a holding company owning all of the outstanding securities of Interstate Power Company of Wisconsin, an electric utility company operating in Wisconsin, and East Dubuque Electric Company, an electric utility company operating in Illinois.

The following tabulation shows the presently outstanding securities of Interstate and their ownership by Ogden and by others:

	Principal amount or shares outstanding	Owled by Ogden	Owled by others
1st mortgage 5% bonds, due 1957	\$26,035,000		\$26,035,000
6% debentures	7,500,000	\$100	7,499,900
6% demand note	2,475,000	2,475,000	
\$7 cum. pfd. stk., no par value	Shares 72,500	Shares 3,108	Shares 69,392
\$6 cum. pfd. stk., no par value	47,500	9,461	38,039
Common stock, no par value	175,000	175,000	

<sup>1</sup> Includes \$272,000 principal amount owned by Atlas Corp., the owner of approximately 76% of Ogden's outstanding common stock.

<sup>2</sup> Includes 2,340 shares owned by Atlas Corp.

<sup>3</sup> Includes 250 shares owned by Utilities Elkhorn Coal Co., a subsidiary of Ogden, and 156 shares owned by Atlas Corp.

The first mortgage bonds and debentures are currently redeemable at 102. All interest on the first mortgage bonds, debentures and demand note of Interstate has been paid regularly. Pursuant to an agreement dated June 20, 1941, all interest received by Ogden since that date on the demand note has been deposited by Ogden in escrow with Manufacturers Trust Company. The agreement provides that such funds shall be held intact until all questions of validity and rank of the demand notes shall have been passed upon by this Commission and any court having jurisdiction. As at March 31, 1946, such escrowed funds (part of which are invested in U. S. Government securities), aggregated \$734,593. Prior to June 20, 1941, Ogden received payments of interest on the demand note aggregating \$222,750.

The preferred stocks are entitled to \$100 per share and accrued dividends in involuntary liquidation, and rank on a parity with each other. No dividends have been paid on the preferred stocks since December 20, 1933. Dividend arrears, at March 31, 1946, amounted to \$6,810,650, or \$93.94 per share, on the \$7 preferred stock, and \$3,824,700, or \$80.52 per share, on the \$6 preferred stock.

The plan provides for the following:

(1) Interstate will have a capitalization consisting of \$20,000,000 principal amount of new first mortgage bonds and 3,000,000 shares of new common stock of the par value of \$3.50 per share.

(2) The new first mortgage bonds will be sold pursuant to competitive bidding.



(3) (a) Such number of the 3,000,000 shares of new common stock will be sold pursuant to competitive bidding as may be necessary to raise funds sufficient, when added to the principal amount of the new bonds, for the following purposes:

(i) Reimbursement of the treasury or discharge of obligations of the company in the amount of \$1,500,000 for new construction completed or in progress prior to the effective date of the Amended Plan.

(ii) Payment and discharge at the principal amount thereof (without premium) of the \$26,035,500 principal amount of presently outstanding first mortgage bonds.

(iii) Payment and discharge at the principal amount thereof (without premium) of the \$7,500,000 principal amount of presently outstanding 6% debentures, including the \$100 debenture held by Ogden.

(iv) Payment and discharge at the principal amount thereof of the \$2,475,000 6% Demand Note owned by Ogden.

(b) There shall also be sold to the successful bidder or bidders for the shares sold as above provided, at the same price per share net to Interstate, such number of shares of the 3,000,000 shares of new common stock which remain after satisfying the requirements of subsection (a) above as would be allocable to Ogden for its holdings of 12,569 shares of Interstate's preferred stocks, if such shares were compensated on a parity with the preferred shares held by others than Ogden.

(4) The entire balance of the 3,000,000 shares of new common stock remaining unsold after satisfying the requirements of section (3) above shall be distributed pro rata to the holders of Interstate's preferred stocks other than Ogden. Such distribution shall be made on a basis whereby there shall be distributed in exchange for each share of \$6 Preferred Stock 90% of the number of new common shares distributed in exchange for each share of \$7 Preferred Stock.

(5) The present common stock of Interstate will be surrendered for cancellation upon the effective date of the Amended Plan.

(6) (a) Immediately following the sale of the shares of new common stock pursuant to section (3) above, there shall be deposited in an escrow account cash equal to the aggregate of the following:

(i) the principal amount of the \$100 Debenture owned by Ogden;

(ii) the principal amount of the \$2,475,000 6% Demand Note owned by Ogden;

(iii) the proceeds of sale of the shares of new common stock referred to in (3) (b) above; and

(iv) the cash proceeds of the fund escrowed with respect to interest received by Ogden on the 6% Demand Note since June 20, 1941, hereinabove referred to.

(b) There shall be issued to holders of preferred stock who qualify to receive common stock under the Amended Plan pursuant to paragraph (4) above non-negotiable certificates evidencing their proportionate contingent interests

in the funds to be deposited in the escrow account pursuant to subsection (a) of this paragraph (6).

(c) As soon as practicable after the Amended Plan becomes effective, the Commission shall continue or institute such proceedings as may be necessary for a final disposition of the issues raised concerning the rank and status of the \$2,475,000 Demand Note and the \$100 Debenture owned by Ogden and the relative rights of Ogden with reference to the 12,569 shares of Interstate's preferred stocks held by Ogden.

(d) In connection with the provisions of subsection (a) of this paragraph (6), an escrow agreement will be executed providing, among other things, that Ogden shall be entitled to direct and control the investment and reinvestment of all funds deposited in the escrow account, and that Ogden warrants and agrees that at the time of the determination of the questions referred to in subsection (c) above, the funds in such escrow account will be at least equal to the amount of cash originally deposited in such escrow account, plus a guaranteed return thereon specified in the escrow agreement, from the date of such deposit to the time of such final determination. The escrow agreement will further provide that any excess above the sum of the amount originally deposited plus the guaranteed return thereon shall be transferred to Ogden.

(e) The amount originally deposited in the escrow account plus the guaranteed rate of return thereof as described in subsection (d) above shall be distributed to Ogden and/or among the holders of the certificates described in subsection (b) above in accordance with the final determination of the questions referred to in subsection (c) above.

(f) Upon the deposit in the escrow account of all sums provided for in subsection (a) above, Interstate shall be released and discharged of all liability to Ogden and to the holders of the preferred stocks of Interstate, and thereafter Interstate shall have no responsibility with respect to the escrow account, or the funds deposited therein.

(7) The Board of Directors of Interstate shall be empowered to fix a record date of its stockholders for the purposes of distribution of the new common stock and for the termination of the right to effect transfers of the presently outstanding stock of Interstate. In lieu of fractional shares scrip certificates will be issued representing rights to such fractional shares (disregarding balances of less than 1/100 of a share) and exchangeable, when accompanied by other certificates in such amount as to represent in the aggregate one or more full shares of stock, for certificates for such full shares. The holders of outstanding preferred shares and of said scrip certificates will not be entitled to any rights as shareholders of the reorganized company until said preferred shares or scrip certificates are so exchanged. If not so exchanged, all unexchanged preferred shares and all scrip certificates outstanding will become void in five years from the effective date of the Amended Plan.

(8) As of the effective date of the Amended Plan, the excess of the cost

to Interstate of utility plant over original cost thereof will be written off.

The filing further states that Interstate is advised that it is the position of Ogden that the demand note and debenture held by Ogden rank equally with all other debentures of Interstate, that said demand note and debenture are entitled to receive the same treatment as that accorded to the other debentures and that the shares of the preferred stocks of Interstate held by Ogden rank *pari passu* with all other shares of the preferred stocks of Interstate and are entitled to receive the same treatment as such other shares.

The Amended Plan provides that upon the entry by the Commission of an order or orders approving it, subject to a reserved right to withdraw the Amended Plan in the event of a substantial change in market conditions, the Board of Directors of Interstate will request the Commission pursuant to section 11 (e) of the Act to apply to a court of competent jurisdiction to enforce and carry out the terms of the Amended Plan.

II. On May 20, 1943, the Commission entered an order (1) directing, among other things, pursuant to section 11 (b) of the Act, that Interstate shall take such steps as may be necessary to recapitalize so as to distribute voting power fairly and equitably among its security holders, and (2) approving, pursuant to section 11 (e) of the act, a plan filed by Ogden and certain of its subsidiaries which provided, among other things, that Interstate would be recapitalized (Holding Company Act Release No. 4307).

III. Public hearings having been held with respect to Interstate's plan pursuant to this Commission's notice and order herein dated October 3, 1945, and having been continued subject to call; and

It appearing to the Commission that the hearing herein should be reconvened for the purpose of adducing further evidence and affording further opportunity to all interested persons to be heard;

*It is ordered*, That the hearing in this matter be reconvened on June 12, 1946, at 10:00 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On that date, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

*It is further ordered*, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

*It is further ordered*, That without limiting the scope of the issues presented by the Amended Plan, particular attention will be directed at said hearing to the question, in addition to those specified in the Commission's notice and order herein dated October 3, 1945, whether the establishment of an escrow account, and the terms of the proposed escrow agreement relating thereto, as provided in the



Amended Plan, adequately protect the interests of all persons affected thereby.

Notice is hereby given of said reconvened hearing to Interstate, to The Chase National Bank of the City of New York, Trustee of Interstate's First Mortgage 5% Bonds, to Chemical Bank & Trust Company of the City of New York, Trustee of Interstate's 6% Debentures, and to all interested persons, said notice to be given to Interstate, The Chase National Bank of the City of New York and Chemical Bank & Trust Company of the City of New York by registered mail, and to all other persons by a general release of this Commission which shall be distributed to the press and mailed to all persons on the mailing list for releases issued under the Act and by publication in the FEDERAL REGISTER.

It is further ordered, That Interstate shall give additional notice of said reconvened hearing to all record holders of shares of its preferred stocks as of a date not more than 30 days prior to the date of said hearing by mailing to each of said persons a copy of this notice and order at his last known address at least fifteen days prior to the date of said hearing.

Any person desiring to be heard or otherwise wishing to participate in the proceedings should file with the Secretary of the Commission on or before June 6, 1946, his application therefor, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-8570; Filed, May 22, 1946;  
10:57 a. m.]

[File No. 70-1217]

HOPE ENGINEERING CO. ET AL.

#### PREVIOUS ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of May, A. D. 1946.

In the matter of Hope Engineering Company, O. P. Wilson and Sumner Cottingham, voting trustees under "The Rio Grande Valley Gas Company common stock voting trust agreement of December 12, 1936", Rio Grande Valley Gas Company; File No. 70-1217.

The Commission having on February 28, 1946 issued its "Order Granting Application and Permitting Declaration to Become Effective" in the above entitled proceeding, published as Holding Company Act Release No. 6440, and it appearing necessary to make certain revisions and corrections in said order:

It is ordered, That said order dated February 28, 1946, be and it hereby is amended in the following respects:

(1) The second paragraph of said order is amended to read:

The applicants-declarants propose to organize a new corporation, Rio Grande Valley Gas Company ("Rio of Texas") in the State of Texas, the State in which Rio of Delaware conducts its business, with an authorized capital of \$10,000

consisting of 10,000 shares of Common Stock, \$1 par value. Rio of Delaware proposes to acquire said 10,000 shares for a cash consideration of \$10,000. The authorized capital of Rio of Texas will then be increased to \$2,080,376, consisting of Common Stock, \$1 par value. Rio of Delaware proposes to sell to Rio of Texas all of its assets subject to all of its liabilities, and to acquire the additional 2,070,376 shares of the Common Stock of Rio of Texas, which will assume all the liabilities of Rio of Delaware including the \$2,244,000 principal amount of First Mortgage Bonds, Series A, 4% due April 1, 1961, and \$87,000 principal amount of First Mortgage Bonds, Series B, 4%, due October 1, 1961, which are presently outstanding in the hands of Northwestern Mutual Life Insurance Company.

(2) The words, "2,086,376 shares" appearing in the third paragraph of said order are amended to read "2,080,376 shares".

(3) The paragraph numbered "1." in said order, appearing at page 3 of said release, is amended to read:

The issuance by Rio of Texas of 10,000 shares of its Common Stock, \$1 par value, and the sale thereof to, and the acquisition thereof by three individual subscribers for the account of Rio of Delaware for a cash consideration of \$10,000.

(4) The paragraph numbered "2." in said order, appearing at page 3 of said release, is amended to read:

The transfer and conveyance by Rio of Delaware to Rio of Texas of all of the assets, including all of the real property, of Rio of Delaware (except the 10,000 shares of the Common Stock, \$1 par value, of Rio of Texas referred to in the preceding paragraph); the acquisition thereof by Rio of Texas; the issuance by Rio of Texas in exchange therefor of 2,070,376 additional shares of the Common Stock, \$1 par value of Rio of Texas, and the acquisition thereof by Rio of Delaware, and the assumption by Rio of Texas of liability upon \$2,244,000 principal amount of First Mortgage Bonds, Series A, 4%, due April 1, 1961, and \$87,000 principal amount of First Mortgage Bonds, Series B, 4%, due October 1, 1961, of Rio of Delaware.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-8569; Filed, May 22, 1946;  
10:56 a. m.]

[File No. 70-1217]

HOPE ENGINEERING CO. ET AL.

#### FINDINGS AND ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of May A. D. 1946.

In the matter of Hope Engineering Company, O. P. Wilson and Sumner Cottingham, voting trustees under "The Rio Grande Valley Gas Company common stock voting trust agreement of December 12, 1936", Rio Grande Valley Gas Company; File No. 70-1217.

By order dated February 28, 1946 (Holding Company Act Release No. 6440), the Commission granted and permitted to become effective a joint application and declaration filed by Hope Engineering Company ("Hope"), a registered holding company and O. P. Wilson and Sumner Cottingham, Voting Trustees under "The Rio Grande Valley Gas Company Common Stock Trust Agreement of December 12, 1936" ("Trustees"), also a registered holding company and a subsidiary of Hope, and Rio Grande Valley Gas Company ("Rio of Delaware"), a public utility company and a subsidiary of Hope and Trustees, authorizing certain transactions as a result of which Hope and Trustees would cease to be holding companies and reserving jurisdiction with respect to the applications of Hope and Trustees declaring that they had ceased to be holding companies.

Hope, Trustees and Rio of Delaware have now filed a Certificate of Notification, pursuant to Rule U-24, from which it appears that the transactions so authorized have been consummated.

The Commission finding that Hope and Trustees do not directly or indirectly own, control or hold with power to vote, or otherwise, any of the outstanding voting securities of a public utility company or of a company which is a holding company within the meaning of the provisions of the act, and that Hope and Trustees have each ceased to be a holding company, and that their respective registrations as holding companies should cease to be in effect and that it is not necessary to impose any terms or conditions for the protection of investors in connection with the termination of such registration;

It is ordered and declared, That Hope and Trustees have each ceased to be a holding company, and that the registration of Hope Engineering Company, and of O. P. Wilson and Sumner Cottingham, Voting Trustees under "The Rio Grande Valley Gas Company Common Stock Voting Trust Agreement of December 12, 1936", as holding companies shall from the date of this order cease to be in effect.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-8571; Filed, May 22, 1946;  
10:57 a. m.]

[File No. 70-1280]

NORTH AMERICAN CO.

#### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 20th day of May 1946.

The North American Company, a registered holding company, has filed a declaration pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the general rules and regulations promulgated thereunder, regarding a proposal to pay on July 1, 1946, a dividend to its holders of



common stock of record on June 3, 1946, payable in the common stock of Pacific Gas and Electric Company, having a par value of \$25 per share, owned by The North American Company, at the rate of one share of common stock of Pacific Gas and Electric Company on each 100 shares of the outstanding common stock of The North American Company. No certificates will be issued for fractions of shares of stock of Pacific Gas and Electric Company, but, in lieu thereof, cash will be paid at the rate of forty-five cents for each  $\frac{1}{100}$  of a share of stock of Pacific Gas and Electric Company, this rate being based on the approximate market price of \$45 per share as of April 25, 1946, the date on which the proposed dividend was declared. The North American Company has requested that the order of the Commission permitting the declaration to become effective conform to the requirements of section 1808 (f) of the Internal Revenue Code, as amended.

The declaration having been filed on April 26, 1946, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The North American Company having requested that the Commission issue its order on or before May 20, 1946; and

The Commission finding that the requirements of section 12 (d) of the act and Rules U-43 and U-44 thereunder are satisfied, that no adverse findings are necessary thereunder, and that action upon said declaration should be accelerated, and the Commission deeming it appropriate in the public interest and in the interest of investors to permit said declaration to become effective:

*It is hereby ordered,* Pursuant to said Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be and the same is hereby permitted to become effective forthwith.

*It is further ordered,* And the Commission finds, that the distribution and transfer by The North American Company on July 1, 1946, to its common stockholders of record on June 3, 1946, of shares of common stock of Pacific Gas and Electric Company having a par value of \$25 per share, represented by Certificate No. NF-268359, in payment as a dividend to such stockholders, at the rate of one share of common stock of Pacific Gas and Electric Company on each one hundred shares of the outstanding common stock of The North American Company is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and is a step in compliance with the order of this Commission dated April 14, 1942, with respect to The North American Company pursuant to section 11 (b) (1) of the act.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-8566; Filed, May 22, 1946;  
10:56 a. m.]

[File No. 70-1288]

PENNSYLVANIA GAS & ELECTRIC CORP. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 20th day of May A. D. 1946.

In the matter of Pennsylvania Gas & Electric Corporation the Petersburg & Hopewell Gas Company, Penn-Western Service Corporation; File No. 70-1288.

Notice is hereby given that Pennsylvania Gas & Electric Corporation ("Penn Corp"), a registered holding company, and The Petersburg & Hopewell Gas Company ("Petersburg") and Penn-Western Service Corporation ("Penn-Western"), subsidiaries of Penn Corp, have filed an application and declaration pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the general rules and regulations of this Commission thereunder.

All interested persons are referred to said document which is on file at the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

1. Penn Corp proposes to sell to Scott, Horner & Mason, Incorporated of Lynchburg, Virginia, its investment in Petersburg consisting of 55,000 shares of common stock with a par value of \$10 per share (all of the outstanding common stock of Petersburg) for a cash consideration of \$600,000, subject to closing adjustments. The application and declaration states that Scott, Horner & Mason, Incorporated, a broker and dealer, intends to resell the common stock of Petersburg to be acquired only to residents of the State of Virginia.

2. Penn Corp proposes to use part of the proceeds from the foregoing transaction to redeem a portion (\$345,000 principal amount) of Penn Corp's 6% Gold Debentures, Series A, due March 1, 1976, at the redemption price of 105% of the principal amount. The application and declaration states that Penn Corp may use \$255,000 of the proceeds from the sale of the common stock of Petersburg for the purchase from York County Gas Company, a subsidiary of Penn Corp, of 3,000 shares of \$7 Second Cumulative Preferred Stock of North Penn Gas Company, also a subsidiary of Penn Corp, at the price of \$85 per share. (The use of the \$255,000 by Penn Corp for such purpose is a portion of the subject matter of a separate application, File No. 70-1285, with respect to which hearings will be scheduled in the future. The Commission has neither approved nor disapproved the purchase by Penn Corp of such preferred stock from York County Gas Company.)

3. Petersburg proposes to donate to Penn-Western (an approved mutual service company) all of Petersburg's holdings of the capital stock of Penn-Western, consisting of 24 shares of such capital stock, originally received as a gift from Penn Corp, and Penn-Western proposes to acquire said capital stock and to pay to Penn Corp an amount equivalent to the consideration (\$240) originally received by Penn-Western from Penn Corp for the issuance of said capital stock. The application and dec-

laration states that the contract for supervisory services between Petersburg and Penn-Western will be cancelled at the date of the closing of the sale of Penn Corp's investment in Petersburg.

The applicants and declarants state that the Virginia Corporation Commission may have jurisdiction over the transactions between Petersburg, Penn Corp and Penn-Western.

The applicants and declarants have designated section 12, Rule U-45 and U-50 (a) (4) as being applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect of such matters; and that said declaration shall not be permitted to become effective and that said application shall not be granted except pursuant to further order of the Commission;

*It is ordered,* That a hearing on said application and declaration, under the applicable provisions of the act and the rules of the Commission promulgated thereunder, be held at 10:00 a. m., E. D. S. T., on the 29th day of May 1946, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by Rule XVII of the rules of practice on or before May 27, 1946.

*It is further ordered,* That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's rules of practice.

*It is further ordered,* That without limiting the scope of the issues involved in these proceedings, particular attention will be directed at the hearing to a consideration of the following matters and questions:

1. Whether competitive conditions have been maintained in the negotiation of the proposed sale of the common stock of Petersburg.

2. Whether the proposed donation by Petersburg to Penn-Western of 24 shares of capital stock of Penn-Western and the transactions incidental thereto comply with the applicable provisions of the act and the rules thereunder.

3. Whether the proposed use by Penn Corp of part of the proceeds from the sale of its investment in Petersburg to redeem a portion of Penn Corp's 6% Gold Debentures is appropriate and in conformity with the requirements of the act.

4. Whether the proposed accounting entries on the books of Penn Corp, Petersburg and Penn-Western are appropriate and in conformity with the requirements of the act.

5. Whether the fees, commissions or other remuneration to be paid in connection with the proposed sale are for neces-



sary services and are reasonable in amount.

6. What terms or conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the interest of investors or consumers.

7. Generally, whether in any respect, the proposed transactions are detrimental to the public interest or the interest of investors or consumers or will tend to contravene or circumvent any provisions of the act or the rules thereunder.

It is further ordered, That the Secretary of the Commission shall serve notice of said hearing by mailing a copy of this order by registered mail to Penn Corp, Petersburg, Penn-Western, Scott, Horner & Mason, Incorporated, the prospective buyer, to the Virginia Corporation Commission, to the City Manager of the City of Hopewell, Virginia, and to the Mayor of the City of Petersburg, Virginia; and that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases under the act; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-8567; Filed, May 22, 1946;  
10:56 a. m.]

[File No. 70-1295]

KEWANEE PUBLIC SERVICE CO. AND NORTH  
AMERICAN LIGHT & POWER CO.

NOTICE REGARDING FILING OF DECLARATION  
OR APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 21st day of May 1946.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (the "Act") by Kewanee Public Service Company ("Kewanee"), a subsidiary of North American Light & Power Company ("Light & Power"), a registered holding company, and by Light & Power.

Notice is further given that any interested person may not later than May 27, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter said declaration or application as filed or as amended may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should

be addressed: Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application which is on file in the office of the said Commission for a statement of the transactions therein proposed which are summarized below:

As a step contemplated by the plan under section 11 (e) of the act previously filed by Kewanee and Light & Power (File No. 54-141), Kewanee proposes to call for redemption and retirement, on July 1, 1946, its outstanding \$716,100 principal amount of First Mortgage Bonds, 6% Series Due July 1, 1949. To provide funds for the foregoing, Kewanee proposes to use the proceeds of an issuance and sale of \$600,000 principal amount of new bonds, and available cash to the extent necessary. Kewanee has made arrangements whereby The Equitable Life Assurance Society of the United States would purchase the entire issue of \$600,000 of new bonds at 100% of face amount plus accrued interest. The new bonds would bear interest at the rate of 3 1/4% per year and be entitled First Mortgage Bonds, 3 1/4% Series A; the date of issue, May 1, 1946, and date of maturity, May 1, 1976. If necessary, Kewanee anticipates making bank or other loans to cover the redemption during the period between actual redemption of its outstanding bonds and issue of its new bonds.

Light & Power and Kewanee propose to enter an agreement whereby the \$210,000 of notes of Kewanee held by Light & Power together with accrued interest thereon shall be subordinated to the lien of the trust indenture securing the new bonds. It is represented in substance that as part of the proposed transactions, dividends or other distributions (other than solely in stock of Kewanee) to stockholders of Kewanee will be restricted, so long as any of such bonds are outstanding, to net income (as defined in the indenture) earned after December 31, 1945, and that for purposes of this provision any payments (in cash or securities other than stock of Kewanee), on account of interest or principal on the said \$210,000 of notes of Kewanee held by Light & Power, will be treated as payments of dividends.

Expenses to be incurred in connection with the foregoing transactions are estimated as follows:

Stock transfer taxes (bond issue tax) -	\$360
Legal fees.....	9,500
Miscellaneous expenses.....	1,750

It is represented that the proposed transactions are subject to the jurisdiction of the Illinois Commerce Commission, and will be approved by that Commission prior to consummation.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 46-8572; Filed, May 22, 1946;  
10:57 a. m.]

## UNITED STATES COAST GUARD.

### APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167, sec. 5 (e), 55 Stat. 244 (46 U.S.C. 367, 375, 391a, 404, 474, 481, 489, 526-526t, 50 U.S.C. 1275), Executive Order No. 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), as modified by Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1), and Coast Guard General Order 1-46 of the Secretary of the Treasury, dated January 1, 1946 (11 F.R. 185), the following approval of equipment is prescribed, effective upon the date of publication in the FEDERAL REGISTER:

### BUOYANT CUSHION FOR MOTORBOATS

Approval No. B-296, 15' x 15' x 2' fibrous glass buoyant cushion, filled with 40 ounces of fibrous glass in compliance with Navy Specification 23-G-7, dated 2 January 1946, Coast Guard Dwg. No. 160,005, Alt. O, dated 28 February 1946, manufactured by the Comfort Cushion Company, 5062-84 Loraine, Detroit 8, Michigan.

### LIFEBOATS

36.5' x 11.75' x 5.25' aluminum hand-propelled lifeboat, 135-person capacity, General Arrangement Dwg. No. 2894-A, dated 28 January 1946, submitted by the Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, New Jersey.

36.5' x 11.75' x 5.25' aluminum motor lifeboat, 130-person capacity, General Arrangement Dwg. No. 2896-A, dated 19 April 1946, submitted by Welin Davit and Boat Division of the Robinson Foundation, Perth Amboy, New Jersey.

Dated: May 20, 1946.

J. F. FARLEY,  
Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 46-8558; Filed, May 21, 1946;  
4:10 p. m.]

## UNITED STATES EMPLOYEES' COMPENSATION COMMISSION.

[Administrative order 8]

### AUTHORIZATION TO FURNISH LOCAL PAYMENTS OF BENEFITS IN CASES OF CERTAIN EMPLOYEES EMPLOYED OUTSIDE CONTINENTAL UNITED STATES

By virtue of the authority vested in the United States Employees' Compensation Commission by the Employees' Compensation Act of September 7, 1916, as amended (sec. 42, 56 Stat. 725; 5 U.S.C. Sup. 793), Foreign Claims Commission No. 197 of the War Department is authorized to process claims, to make initial payments of compensation, and to furnish other benefits initially, as provided by such act of September 7, 1916, as amended, and pursuant to the regulations of the Commission promulgated thereunder (20 CFR, Chapt. 1, Subchapter A), and such supplementary instructions as may from time to time be issued



by the Commission, in cases of civilian employees of the United States who are injured, while in the performance of their duty for the United States, in the area which is served by the Foreign Claims Commission No. 197, having its headquarters at Cairo, Egypt.

As used herein, the phrase "to process claims" means (1) to receive, assemble, and file reports of injury, medical reports, reports of investigation, and other papers related to cases of injury; (2) to make investigations and to secure necessary supplementary information in connection with cases or claims; (3) to obtain

medical examinations; (4) to arrange for medical, surgical, and hospital services and supplies in the treatment and care of employees in disability cases; (5) to examine and adjudicate claims for compensation in injury cases, including the making of findings of fact and awards; (6) to prepare vouchers for local disbursement of benefits and local payment of medical and other expenses; (7) to review cases for readjustment of compensation.

As used herein, the phrases "to make initial payments of compensation" and "to furnish other benefits initially" mean the payment of compensation in cases of injury, and the furnishing of any other

benefits provided for by such Act, except compensation for death, for a period not to exceed 180 days.

The action of the said Foreign Claims Commission in any case, and the payments made under this authority, are subject to final review by the Commission, and to readjustment if found necessary.

Order approved by the Commission  
May 17, 1946.

WM. McCauley,  
Secretary.

[F. R. Doc. 46-8575; Filed, May 22, 1946;  
10:58 a. m.]